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JOURNAL
OF THE
LEGISLATIVE COUNCIL
OF THE
TERRITORY OF NEW MEXICO.

SESSION OF 1868-69.

SANTA FE, N. M. :
MANDERFIELD & TUCKER, PUBLIC PRINTERS.
1869.

JOURNAL OF THE
LEGISLATIVE COUNCIL.
1868--69.

JOURNAL

OF THE
LEGISLATIVE COUNCIL.

MONDAY, DECEMBER 7th, 1868.

This being the day prescribed by the Organic Law of the Territory for the meeting of the Legislative Assembly of New Mexico, the following persons met in the Hall of the Council, to wit:

County of Taos—Honorables Juan B. Valdez and Jesus Maria Pacheco.

County of Santa Fe—Anastacio Sandoval.

County of Rio Arriba—Diego Archuleta.

County of San Miguel—Severo Baca, Celso Baca.

County of Mora—Felipe Sanchez.

County of Santa Ana—Felipe Sandoval.

County of Bernalillo—Andres Romero.

County of Valencia—Juan Salazar y Jimenes.

County of Socorro—Candelario Garcia.

County of Doña Ana—Wm. L. Rynerson.

Thé Honorable Candelario Garcia, Speaker pro. tem. called the Council to order.

On motion of Hon. Anastacio Sandoval, the Hon. Severo Baca was nominated as President of the Council during its session. The motion was unanimously adopted.

On motion of Hon. Celso Baca, a committee of three members was appointed composed of the Honorables Celso Baca, Andres Romero and Juan B. Valdez; for the purpose of requesting the Hon. Secretary of New Mexico, H. H. Heath to administer the usual oath to the President and the several officers of this honorable body during its session.

The Committee having retired, on motion of Hon. Diego Archuleta, the Council took a recess until their return.

The Committee having returned, the Council was called to order by the Hon. President; when Committee reported having fulfilled its commission; and introduced the Hon. Secretary of the Territory to assume the duty which he was requested to perform.

On motion of Hon. Wm. L. Rynerson, the Council proceeded to the nomination of several officers to be sworn together with the Hon. President, their appointment.

On motion of Hon. Anastacio Sandoval, Rafael Chacon was unanimously elected, Chief Clerk of the Council.

On motion of Anastacio Sandoval; Antonio Martin y Martines was unanimously elected Assistant Clerk.

On motion of Anastacio Sandovalr José Salazar was unanimously elected Engrossing Clerk.

On motion of Anastacio Sandoval ; Teofilo Romero was unanimously elected Enrolling Clerk,

On motion of Anatacio Sandoval ; Ricardo Gallegos was unanimously elected Sergeant at Arms.

On motion of Anastacio Sandoval ; Crespin Torres was unanimously elected Porter.

On motion of Anastacio Sandoval ; Faustin Barela was unanimously elected Interpreter.

Having concluded the election of officers, the Hon. Secretary of the Territory, proceeded to administer the usual Oath ; first to the Hon. President of the Council ; and then to the several other officers elected.

On motion of Hon. Candelario Garcia, the same committee appointed to request the assistance of the Hon. Secretary of the Territory, to administer the usual Oath ; was instructed to accompany him to his residence.

The Hon. President tendered his thanks to General Heath, for the kind attention with which he presented himself to administer the Oath.

On motion of Hon. Anastacio Sandoval the Council took a recess until the return of the Committee.

Said Committee (the house being called to order) reported having fulfilled its charge.

On motion of Hon. Candelario Garcia, the Chief Clerk was instructed to request the Hon. Secretary of the Territory to have a stove put in the center of the hall of the Council for the comfort of the members of this honorable body.

On motion of the same gentleman Hon. Candelario

Garcia the Council was adjourned until to-morrow Tuesday at 10 o'clock. A. M.

TUESDAY, DECEMBER 8th, 1868.

The Council met to adjournment; the roll was called, and following members answered their names, to wit:—Messrs. C. Baca, C. Garcia, Juan A. Martinez, J. M. Pacheco, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez, Juan Salazar y Jimenes, Juan Benito Valdez, and Mr. Speaker.

A quorum being present, the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

On motion of Mr. Celso Baca the rules which governed this Hon. body during the last session, were adopted to govern the present session.

On motion of Mr. Celso Baca, the Chief Clerk was instructed to request the Secretary of the Territory to furnish, a copy of the rules to each member of the Council.

The order of the day was called.

Petitions and Memorials were called in order.

None.

Reports of Committees were called in order.

None.

Resolutions in order.

Mr. C. Baca, offered the following resolution:

Resolved; that a committee of three members, composed of, Hons. Diego Archuleta, J. M. Pacheco. and Felipe Sandoval, be appointed to confer with the Committee appointed by the House of Representatives to inform his Excellency the Governor, that both Houses are organized and ready to receive whatever message, or communication he may send them,

On motion of Mr Anastacio Sandoval the resolution was adopted; and in consequence, the Committee retired to comply with its commissions.

On motion of the Hon. Celso Baca the Chief Clerk was instructed to send a list of the members, and Officers of this Hon. body, to the House of Representatives as also one to the Secretary of the Territory.

A Committee from the House of Representatives, was announced and received, which reported through their president, that the House of Representatives was organized and ready to co-operate with the Council in the dispatch of business;—also that this Committee was ordered to co-operate with that of the Council to inform his Excellency the Governor that both houses were now organized.

Mr. Speaker announced that the Committee of the Council was ready to comply with its commission, and could retire.

On motion of Hon. Candelario Garcia, the Council took a recess until the return of the Committee.

The Council having been called to order, on the return of the Committee; it reported through its President having complied with its commission and that his Excellency would, if both houses were prepared, read his Message in the Hall of the House of Representatives; to-morrow at eleven o'clock A. M.

On motion of Mr. Andres Romero, the report of the

Committee was adopted, and in consequence the Council made ready to receive the Message of his Excellency in the hall of the house, at the hour mentioned.

The rules having been suspended, Mr. Celso Baca offered the following resolution.

Resolved, that the Chief Clerk of this body be instructed to request the Secretary of the Territory to supply to this Hon. body ; a copy of the Territorial statutes for each member, as also for each, a copy of the amendments made by the Congress of the United States, to the Organic law.

On motion of Hon. Diego Archuleta, the resolution was adopted.

On motion of Hon. Jesus Ma. Pacheco a committee of three was appointed to invite the officers of the various departments of the Territory to assist at the reading of the Governor's message.

The committee was appointed to consist of Hons. Jesus Ma. Pacheco, Andres Romero, and Juan Benito Valdez.

On motion of Jesus Ma. Pacheco the Committee was instructed by Mr. Speaker, in regard to what officers they should invite, and that the same should inform the House of Representatives so as to co-operate with a committee from that House upon the same business.

On motion of the Hon. Anastacio Sandoval, the Council adjourned until to morrow, Wednesday, at ten o'clock A. M.

WEDNESDAY, DECEMBER 9, 1868

The Council met pursuant to adjournment.

The list was called, and the following members were present, Diego Archuleta, Celso Baca, Candelario Garcia, J. Andres Martinez,, Felipe Sandoval, Juan Salazar y Jimenes, Wm. L. Rynerson, and Mr. Speaker.

There being a quorum present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

On motion of Hon. Wm. L. Rynerson a committee of three was appointed to solicit the Hon. Secretary of the Territory, to administer the Oath of office to the Interpreter, who had not been sworn.

Anastacio Sandoval presented himself and took his seat.

The committee returned, accompanied by the Hon. Secretary of the Territory, who proceeded to administer the Oath to the Interpreter.

On motion of Hon. Candelario Garcia, Major J. D. Sena was appointed and sworn as Deputy Interpreter, to this Hon. body during its present session.

Mr. Speaker thanked the Secretary of the Territory for the prompt attention shown by him in presenting himself to administer said oaths: and

On motion, the same committee that accompanied him hither was instructed to escort him to his residence.

Felipe Sanchez presented himself and took his seat.

Hon. Anastacio Sandoval, from the fact of their having been no Vice President appointed, proposed Hon. Celso Baca for that office, which proposition being unanimously adopted, Hon. Celso Baca was accordingly declared Vice President during the present session.

The order of the day was called.

Petitions and Memorials in order.

None.

Reports of Permanent Committees.

None.

Reports of Special Committees.

None.

The committee appointed for the purpose of accompanying the Secretary of Territory to his residence, returned and reported by its President that it had fulfilled that duty.

The committee that was appointed yesterday, composed of Hons. J. N. Pacheco, Andres Romero, and Juan B. Valdez; to solicit the assistance of the officers of the various Departments, presented itself and reported having complied with its commission, and accordingly its members took their seats.

Hon. Celso Baca proposed that the Council take a recess in order give to the chief clerks of both houses time to prepare the seats in the hall of the House of Representatives for hearing the reading of the Governor Message:—his proposition was adopted.

The Council came to order.

A committee from the House of Representatives was announced and received; the which, by its President made the announcement that the House was in readiness, and waiting this Hon. body, to hear the reading of the Governor's Message.

On motion of Hon. Felipe Sanchez, he was excused from attending to day's session, on account of sickness.

On motion of Hon. Celso Baca, the Council proceeded to the hall of the House of Representatives, to receive his Excellency the Governor.

SESSION OF BOTH HOUSES

On motion, a committee of both Houses, composed of the Hons. Anastacio Sandoval, Wm. L. Rynerson, Fernando Nolan, Ignacio Orrantia, and Melquiades Chavez; was appointed to notify his Excellency the Governor, that both Houses were assembled in joint session, and to accompany him to the hall of the House.

The committee retired and shortly after returned accompanied by his Excellency, and reported as having fulfilled its commission

Mr. Speaker, Hon. Severo Baca, called the members to order, and then his Excellency the Governor commenced the reading of his message, which was as follows: (see appendix.)

On motion the Governor's Message was received and referred to the consideration of both Houses.

On motion the same committee that accompanied his Excellency to this hall was instructed to escort him to his residence.

The committee retired, and shortly after returned and reported having complied with its commission.

On motion of Hon. Jesus Maria Pacheco, the joint session was dissolved, and the Council proceeded to its own hall.

The Council was then called to order.

All the members were present.

On motion of Hon. Celso Baca, the Council adjourned until to-morrow at 10 o'clock, A. M.

THURSDAY, DECEMBER 10, 1868.

The Council met pursuant to adjournment, and list being called the following members answered to their names :

Messrs. Celso Baca, Candelario Garcia, J. Andres Martinez, Felipe Sandoval, Juan Salazar y Jimenes, Andres Romero, Wm. L. Rynerson, Juan Benito Valdez and Mr. President.

A quorum being present, the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

On motion of Mr. Celso Baca, Mr. Sandoval was excused from attending to-day's session.

Messrs. Diego Archuleta, Jesus Maria Pacheco and Felipe Sanchez presented themselves and took their seats.

The President announced having appointed the Standing Committess, which are as follows :

On the Judiciary—Celso Baca, Wm. L. Rynerson and Andres Romero.

On Territorial Affairs—Candelario Garcia, Juan Salazar y Jimenes and Benito Valdez.

On Printing—Andres Romero, Felipe Sandoval and Anastacio Sandoval.

On the Capitol—Wm. L. Rynerson, Juan Salazar y Jimenes and Diego Archuleta.

On Indian Affairs—Juan Benito Valdez, Felipe Sandoval and Felipe Sanchez.

On Counties—Anastacio Sandoval, Jesus Maria Pacheco and Jose Andres Martinez.

On Internal Improvements—Candelario Garcia, Juan Salazar y Jimenes and Felipe Sanchez.

On Roads and Acequias—Juan Benito Valdez, Diego Archuleta and Felipe Sandoval.

On Public Property—Wm. L. Rynerson, Jesus Maria Pacheco and Andres Romero.

On Militia—Celso Baca, Felipe Sanchez, and Felipe Sandoval.

On the Library—Juan Salazar y Jimenes, and Juan Andres Martinez.

On Education—Felipe Sandoval, Diego Archuleta, and Andres Romero.

On Agriculture and Manufactures—Candelario Garcia, Anastacio Sandoval, and Felipe Sanchez.

On the Treasury—Juan Salazar y Jimens, Felipe Sandoval and J. M. Pacheco.

On Mines and Waste Lands—Wm. L. Rynerson, Candelario Garcia and J. Andres Martinez.

On Privileges and Elections—Celso Baca, Andres Romero and Juan Salazar y Jimenez.

On Enrolled Bills—Felipe Sandoval, Juan Benito Valdez and Wm. L. Rynerson.

On Vice and Immorality—Jesus Maria Pacheco, Andres Romero and Diego Archuleta.

Mr. Candelario Garcia moved that the Chief Clerk be instructed to forward a communication to the Secretary of the Territory, requesting him to have printed a copy of the standing committees for each member.

The motion was adopted.

The order of the day was called.

Petitions and memorials in order.

None.

Reports of landing committees in order.

None.

On motion of Mr. Wm. L. Rynerson ; the Council adjourned until to-morrow Friday, at 10 o'clock A. M.

FRIDAY, DECEMBER 11, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Messrs. Celso Baca of San Miguel, Candelario Garcia of Socorro, J. Andres Martines of Rio Arriba, Felipe Sandoval of Santa Ana, Juan Salazar y Jimenes of Valencia, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Juan Benito Valdez of Taos, Felipe Sanchez of Mora, Jesus Maria Pacheco of Taos, Diego Archuleta of Rio Arriba and Mr. President.

A quorum being present the council proceeded to the dispatch of business.

The journal of the previous day was read and on motion was approved.

The President announced the order of the day.

Petitions and memorials were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

The rules being suspended

Hon. Celso Baca introduced—

A joint resolution requesting the Secretary of the Territory to have printed one thousand copies of the Governor's message in Spanish and five hundred copies in English.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the resolution

Was read the third time and passed.

On motion of Hon. Diego Archuleta the Council adjourned until Monday at 3 p. m.

MONDAY, DECEMBER 14, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Friday last was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Wm. L. Rynerson introduced—

An act providing for the construction of an acequia and contra-acequia to supply with water the town of Las Cruces in the county of Doña Ana,

Was read the first time.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

A joint resolution relative to the printing of the Governor's message.

Bills in their second reading were announced in order by the President.

None.

Bills and joint resolutions in their third reading were announced in order.

None.

Hon. J. M. Pacheco moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

The report of the Territorial Treasurer was read, and

On motion of Hon. Celso Baca the report was referred to the standing committee on Public Property.

On motion of Hon. W. L. Rynerson the report was entered in the journal, and is as follows :

RECAPITULATION..

Income and expenditures of the treasury of the Territory of New Mexico from the 15th day of November, 1867, to the 15th day of November, 1868, to wit :

Total amount of income for the fiscal year ending November 15th, 1868, . . .	\$15,650 14
Total amount of expenditures during the fiscal year ending November 15th, 1868,	15,650 14

Balance on hand, ...	00,000 00
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FELIPE DELGADO,
Territorial Treasurer.

The Clerk commenced reading the report of the Auditor of Public Accounts, when

Hon. Celso Baca moved that the report be returned to the Auditor.

The motion was not adopted.

Hon. Celso Baca moved to suspend the further reading of the report.

On motion of Hon. W. L. Rynerson the Council adjourned until to-morrow at 10 a. m.



TUESDAY, DECEMBER 15, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

Hon. Celso Baca introduced—

An act amending the revenue law.

Was read the first time.

On motion of Hon. W. L. Rynerson the rules being suspended the bill

Was read the second time.

On motion of Hon. Anastacio the bill was sent to the Secretary to be printed.

On motion of Hon. W. L. Rynerson the act was referred to the standing committee on the Judiciary.

The order of the day was continued.

The introduction of bills and joint resolutions was announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

An act creating an additional precinct in the county of Bernalillo.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Hon. Andres Romero the rules were suspended and the act

Was read the second time.

On motion of Hon. Juan Salazar the act was referred to the committee on Counties.

An act to amend in part the criminal law.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

Hon. Candelario Garcia moved to refer the act to the standing committee on Judiciary.

Hon. Celso Baca moved to lay the act on the table indefinitely.

Hon. W. L. Rynerson moved to adjourn until to-morrow at 9 p. m.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 5—nays 7.

Those who voted in the affirmative were Honorables Diego Archuleta, Jose Andres Martines, Jesus Maria Pacheco, Wm. L. Rynerson and Felipe Sanchez.

Those who voted in the negative were Honorables

Celso Baca, Candelario Garcia, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes and the President.

Consequently the Council did not adjourned.

The question as to laying the act on the table indefinitely was then put.

The ayes and noes were demanded on the question.

The question was put, the roll called and the result was as follows :

Ayes 9—noes 3.

Those who voted in the affirmative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, José Andres Martinez, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and the President.

Those who voted in the negative were Honorables Jesus Maria Pacheco, Wm. L. Rynerson and Juan Salazar y Jimenes.

Therefore the bill was laid on the table indefinitely.

On motion of Hon. Andres Romero, the Council adjourned until to-morrow at 10 a. m.

WEDNESDAY, DECEMBER 16, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Soc-

orro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mara, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and the Hon. President of San Miguel.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Andres Romero introduced—

An act to prevent mercantile transactions being effected on Sundays.

Was read the first time.

On motion of Mr. A. Sandoval, the rules were suspended and the act.

Was read the second time.

On motion of Mr. Rynerson the act was referred to the standing committee on Vice and Immorality.

Mr. Romero moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Bills and joint resolutions in their second reading were announced in order.

An act repealing an act entitled an act to suppress the sale of liquor to soldiers and others.

Was read the second time.

Mr. Rynerson moved to suspend the rules and read the act the third time.

The motion was adopted.

The act was read the third time.

On motion the act passed.

An act providing for the construction of an acequia and contra acequia to supply with water the town of Las Cruces in the county of Doña Ana.

Was read the second time.

A message from his Excellency the governor was announced and received.

The vice president in the chair.

On motion of Hon. Candelario Garcia the following amendments were made:

In section 4 to strike out the word "corpulente" and insert "competente"

In section 5 to strike out the word "fallo" and insert "falla."

On motion of Mr. Rynerson the rules were suspended and the act

Was read the third time.

On motion the act passed.

Bills and joint resolutions in their third reading were announced in order.

None.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

The reports of the pretended territorial officers, the Librarian and Auditor.

On motion of Hon. W. L. Rynerson the reports were referred to a special committee of three.

The committee appointed by the President was composed of the following members :

Messes. Wm. L. Rynerson. Candelario Garcia and J. Salazar y Jimenes.

On motion of Hon. Anastacio Sandoval the Council adjourned until to-morrow at 10 a.m.

THURSDAY, DECEMBER 17, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña

Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valercia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

A message from the House was announced and received.

Mr. Jesus Ma. Pacheco made the following report :

Mr. President :

The standing committee on Vice and Immorality to which was referred—

An act prohibiting mercantile transactions being effected on Sundays.

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

JESUS M. PACHECO,
Chairman of the committee.

Mr. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

On motion of Andres Romero the rules were suspended and the act

Was read the third time.

Hon. Wm. L. Rynerson offered an amendment to the act.

On motion of Hon. Andres Romero the amendment was rejected.

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Territorial Revenue.

The motion was not adopted.

A message from his Excellency the governor was announced and received.

Hon. Diego Archuleta moved to refer the act back to the committee on Vice and Immorality.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Anastacio Sandoval moved that the Council adjourn until to-morrow at 10 a. m.

The motion was not adopted.

Hon. Celso Baza moved to adjourn until to-morrow at 10 1-4 o'clock a. m.

The motion was not adopted.

The question upon referring the act was put and adopted and the act was so referred.

The rules being suspended

Mr. Sandaval introduced—

A joint resolution giving thanks to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States; for their kindly action in amending

the organic act of this Territory, and abolishing the unqualified veto power of the Governor.

Was read the first time.

On motion of Mr. Anastacio Sandoval the rules were suspended and the resolution

Was read the second time.

On motion of Hon. W. L. Rynerson the resolution was sent to the printer.

Bills and joint resolutions in their third reading were announced in order.

None.

On motion of Hon. Candelario Garcia the Council adjourned until to-morrow at 10 a. m.



FRIDAY, DECEMBER 18, 1868.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

Hon. Juan Benito Valdez, absent on account of sickness.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Jesus Maria Pacheco, made the following report :
Mr. President :—

The standing committee on Vice and Immorality to which was referred—

An act to prohibit mercantile transactions being effected on Sundays.

Has had the same under consideration and returns it to this honorable body and recommends the adoption of the accompanying substitute.

JESUS MARIA PACHECO,
Chairman of the committee.

On motion of Mr. Rynerson the report of the committee was adopted.

The substitute was read the first time.

On motion the act was sent to the printer to have printed a copy for each member of this body.

Hon. Anastacio Sandoval submittee the following report :

Mr. President—

The standing committee on Counties to which was referred—

An act creating a new precinct in the county of Bernalillo,

Has had the same under consideration and returns it to this honorable body with the accompanying substitute and recommends its passage.

ANASTACIO SANDOVAL,

Chairman of the committee.

On motion of Mr. Felipe Sanchez the report of the committee was adopted.

The substitute—

Was read the first time.

On motion of Mr. Archuleta the rules were suspended and the act

Was read the second time.

Mr. Archuleta moved to refer the act back to the same committee.

Said motion was not adopted.

Hon. Celso Baca moved to suspend the rules and read the act the third time.

Agreed to.

Was read the third time and passed.

The order of the day continued.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

Hon. Felipe Sandoval submitted the report of the probate judge of Santa Ana county.

On motion of Hon. W. L. Rynerson the report was entered on the journal, as follows :

OFFICE OF THE PROBATE COURT, }
COUNTY OF SANTA ANA. }

To the Council and House of Representatives of the Territory of New Mexico :

I have the honor to report to your honorable bodies, in accordance with the requirements of a law of the Legislative Assembly of this Territory ; approved January 31st 1867, and the 9th section of said act—that seven primary schools, are now established in this county, in which schools there are now more than two hundred scholars ; all being managed according to the abilities, of the heads of families ; these being the only means at the present disposal of the county.

It pains me to state to this Hon. body : that although the energy of the several justices of the peace, and mine own, as judge of probate is well know, in regard to the protection given to this useful and necessary branch of the Education of the young of our country yet the law, to which I have referred has some defects, by which the justice of the peace and judge of probate who have the execution of it ; cannot fulfill the desires of the legislators who originated said law ; without incurring the risk of being enveloped in difficulties before the Territorial courts, with insidious and capricious men, and men of bad faith, who to our misfortune are not lacking amongst our people ; and who bring themselves forward as preceptors of two or three children, with no other object, than to ridicule the law, and to make a mockery of the authorities.

Sections 11 and 12 of said law impose heavy penalties upon justices of the peace and probate judges who do not

comply with its provisions, but the misfortune is that it imposes none upon those who interrupt compliance with said law, or upon those more than all who refuse to place their children in the school.

For the which I suggest to your honorable bodies that if my suggestions have any merit in your consideration, that as persons interested in the future welfare of our people whom you represent, said law may be amended in such manner as shall give power to the authorities to execute and to cause compliance with the provisions of the law without disturbance from any person.

With all sincerity and respect I subscribe myself,

Your obedient servant,

TOMAS C. DE BACA,

Probate Judge of Santa Ana Co.

A communication from the Secretary of the Territory accompanied by the fiscal returns from the judges of probate of the counties of San Miguel, Grant, Bernalillo and Santa Ana, was read from the President's table.

A message from the House was announced and received.

On motion of Hon. Jesus Maria Pacheco the report with the several returns of the judges of probate, together with all other like returns that may hereafter be presented, were referred to the standing committee on counties.

A message from his Excellency the governor was announced and received,

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of Hon. Jesus Maria Pacheco the Council adjourned until to-morrow at 10 a. m.

SATURDAY, DECEMBER 19, 1868.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archhuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Reports were announced in order.

Hon. Anastacia Sandoval submitted the report of the probate judge of Grant county.

On motion of Hon. Wm. L. Rynerson the report was referred to the Interpreter to be translated.

Hon. J. M. Pacheco moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

The report of the Hon. Secretary of the Territory as president of the commission on constructing the monument to the memory of those who were killed during the late rebellion, was announced, as follows:

OFFICE OF THE SECRETARY,

Santa Fe, N. M., December 16, 1868.

Hon. Severo Baca, President of the Council:

Sir—I have the honor to inform you that the committee appointed to superintend the erection and completion of the monument in this city to those brave men who at various times have fallen in this Territory in defence of the nation during the rebellion lately suppressed, and in defence of the people of this Territory against hostile Indians; and of which committee the undersigned is President, has complied with its duties; the monument is fin-

ished in compliance with the provisions of the act of the last legislature, approved the 29th of January, 1868, and the contractors have been paid.

The structure now stands not only as a notable signal of the estimation in which the people of New Mexico hold the memory of the brave who have fallen, but also as a lasting monument of the patriotism and generosity of the Representatives of this people.

Few monuments of this class can be found in any country, more chaste, more simple, or less expensive. Its entire cost to the Territory has been only three thousand three hundred dollars; the citizens of Santa Fe have contributed two hundred dollars to aid in laying the corner stone and towards its completion. Whilst in the meantime thanks are due to the military authorities for all the transportation required during its erection; this aid lessened the cost on the monument at least one-half.

This monument as it stands, is as much an ornament to the capital of the Territory, as it is an honor to the whole Territory, and although its cost came against the people at a time when the public funds were in a very low condition, still we have this consideration to console us; that this is an expenditure in a worthy cause; with which like expense we humbly trust never again to have to tax either our patriotism or our treasury.

To give honor to the dead who have fallen in the defence of our country is equally the duty and the sorrowful pride of a generous people; and in the construction of this monument New Mexico has vindicated in a noble manner her patriotism in enduring tablets.

I have the honor to be very respectfully,

Your obedient servant,

H. H. HEATH,

Secretary of the Territory.

On motion of Hon. Anastacio Sandoval the foregoing report was adopted.

The roll of officers and members of the House of Representatives was announced and is as follows :

The roll of the members of the House of Representatives of the Territory of New Mexico of the present session as follows :

Honorables José G. Fernandez, Anto. D. Torres, Smith H. Simpson, Juan F. Montoya, Manuel Garcia, Mariano Larragoiti, Fernando Nolant Lorenzo Romero, Donaciano Serrano, Domingo Trujillo, Desiderio Romero, Aniceto Salazar, Juan Garcia. Benito Romero, Esquipula Romero, Benjamin Stevens, Melquiades Chaves, Ramon Sanchez, Henrp Hilgert, J. M. Chaves, Saturnino Baca, Ignacio Orrantia, John D. Bail and R. M. Stephens.

List of the officers of the House of Representatives of the Territory of New Mexiuo, for the present session, of 1868, they are as follows :

Hon. R. M. Stephens, President.

“ Francisco Salazar, Chief Clerk.

“ Mauricio Duran, Assistant clerk.

“ Desiderio Vigil, Eogrossing clerk.

“ David Baca, Enrolling clerk.

“ Gregorio Jaramillo, Sergeant-at-arms.

“ Alejandro Martinez, Porter.

“ Clemente Ortiz, Interpreter.

R. M. STEPHENS,

Speaker of the House.

FRANCISCO SALAZAR,
Chief Clerk.

On motion of Hon. Candelario Garcia, both lists were received.

A message from the House was announced and received.

Mr. Felipe Sandoval made the following :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

A joint resolution giving thanks to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, for their kindly action in amending the organic act of this Territory, and abolishing the unqualified veto power of the Governor.

Has carefully examined the same and found it correctly enrolled.

FELIPE SANDOVAL,
Chairman of the committee.

The Hon. Jesus Maria Pacheco moved that the report be amended in such a manner as the contents of the resolution mention.

The Hon. Celso Baca moved that the report of the committee be adopted.

Agred to.

Mr. Felipe Sandoval moved that the Council decide whether the resolution shall be sent to the Governor for his signature or not.

The ayes and noes were demanded on the question.

The question was put, the roll called and the result was as follows :

Ayes 9—noes 3.

Those who voted in the affirmative were Honorable Diego Archuleta, Celso Baca, Candelario Garcia, José Andres Martinez, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and the President.

Those who voted in the negative were Honorables Jesus Maria Pacheco, Wm. L. Rynerson and Juan Salazar y Jimenes.

In conformity with the vote it was decided that no joint resolution or memorial passed by both houses shall be sent to the Governo for his approval.

A message from his excellency the governor was announced and received.

A joint resolution requesting the Secretary of the Territory to have printed one thousand copies of the Governor's message in Spanish and five hundred copies in English.

The Speaker announced having signed the foregoing resolution.

The order of the day was continued.

The introduction of bills and joint resolutions was announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. W. L. Rynerson the rules being suspended the bill

Was read the second time.

Mr. Rynerson moved to suspend the rules and read the act the third time.

The motion was adopted.

The act was read the third time.

On motion the act passed.

An act providing for the construction of an acequia and contra acequia to supply with water the town of Las Cruces in the county of Doña Ana.

Originated in the Council.

The House concurred in its passage with an amendment.

On motion of Hon. Andrés Romero the amendment was adopted.

A memorial asking an increase of per diem for the officers and members of the Legislative Assembly.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Mr. Candelario Garcia the rules were suspended and the memorial

Was read the second time.

Hon. Celso Baca moved to reject the memorial.

On motion of Mr. Rynerson the act was referred to the standing committee on Judiciary.

A message from his Excellency the governor was announced and received.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

A message from the House as announced and received.

The Vice President in the chair.

On motion of Hon. Diego Archuleta the Council adjourned until Monday at 3 p. m.

MONDAY, DECEMBER 21, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Friday last was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Anastacio Sandoval introduced (the rules having been suspended) introduced the following resolution :

Resolved, That Hon. Celso Baca be excused from attending this session.

On motion of Hon. Diego Archuleta the resolution was adopted.

Hon. Wm. L. Rynerson, with suspension of the rules, made the following report :

Mr. President :—

The standing committee on Judiciary to which was referred—

A memorial to the Hon. the Congress of the United States asking an increase of the per diem of the officers and members of the Legislative Assembly.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted.

WM. L. RYNERSON,

ANDRES ROMERO,

Members of the committee.

Mr. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The rules being suspended

Hon. Celso Baca made a minority report.

On motion of Mr. Garcia the report was rejected.

On motion of Hon. C. Garcia the memorial was referred to a special committee of three.

The committee appointed by the President was composed of the following members:

Messrs. Garcia, Rynerson and Sanchez.

Mr. Romero moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The order of the day continued.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

An act to prohibit mercantile transactions being effected on Sundays.

Was read the second time.

Hon. A. Sandoval moved to lay the act on the table indefinitely.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Consequently the act was not rejected.

Mr. Baca gave notice that he would move to reconsider his vote to-morrow he having voted with the majority.

Mr. Garcia moved to refer the act to a special committee of five.

Mr. Sandoval moved to refer the act to a committee of the Whole.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

An act creating a new precinct in the county of Bernalillo,

The Speaker announced having signed the aforesaid bill.

Mr. Celso Baca offered an amendment to

An act to prevent mercantile transactions being effected on Sundays.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The motion was not adopted.

The question upon the amendment was put, the roll was called and the result as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candellio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the amendment was lost.

Hon. Celso Baca asked to be allowed to reconsider his vote to-morrow, he having voted in the majority.

On motion of Hon. Candelario Garcia the Council adjourned until to-morrow at 10 a. m.

TUESDAY, DECEMBER 22, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

Hon. Juan Benito Valdez, absent on account of sickness.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

None.

Bills in their second reading were announced in order by the President.

None.

Bills and joint resolutions in their third reading were announced in order.

A act to prevent mercantile transactions on Sunday.

It was announced that the bill was pending to be referred to a committee of five.

Mr. Sandoval moved to refer the act to a committee of the whole.

On motion of Mr. Pacheco the proposition to refer the act to the committee of the whole was rejected.

The ayes and noes were demanded on referring it to a special committee.

The question was then put, the roll called and the result was as follows :

Yeas 6—noes 5.

Those who voted in the affirmative were Honorable Diego Archuleta, Andres Romero, Wm. L. Rynerson, Felipe Sandoval, Felipe Sanchez and Juan Salazar Jimenes.

Those who voted in the negative were Honorable Candelario Garcia, Jesus Maria Pacheco, Anastasio Sandoval, Juan Benito Valdez and the President.

Therefore the act was referren to a special committee.

The committee appointed by the President was composed as follows :

Messrs. Garcia, Sandoval, Rynerson, Archuleta and Valdez.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

A message from the House was announced and received.

A report from the Probate Judge of Grant county on Indian depredations.

On motion of Mr. Rynerson the report was entered in the journal and is as follows :

OFFICE OF THE JUDGE OF PROBATE, }
Central City, November 30th, 1868. }

To the honorable Legislative Assembly of the Territory of New Mexico :

Gentlemen—In obedience to sections 26 and 32 of an act approved January 31st, 1857, I have the honor to submit to your honorable body the following report of depredations committed by hostile Indians in this county from the 1st of January to the 30th of November, 1868 :

Jan. 1—The train of Loretto, wounding him and his son severely, and taking eight sacks of corn; supposed from the signs to be Navajos. Value of property \$48 00.

Jan. 25—Train attacked three miles south of Fort Bayard; drove off four yoke of oxen and ten mules belonging to the train, and four yoke of oxen and two cows the property of Jesus Maria Chaves. Value of property, \$1,900 00.

February — (Exact date not known), attacked a train

near the Hot Springs, killing one man and wounding two others and killed one mule valued at \$100 00.

February — (Exact date not known) attacked a train belonging to Huning Bros. and drove off forty-two mules valued at \$6,300 00.

February 7—Stole two horses and one mule, and killed three cows the property of D. Dunworth, living three miles south of Fort Bayard, valued at \$450 00.

April 28th—Stole one horse and one mule the property of Richard Mawson; two mules the property of C. Bottom; one mare the property of W. B. Morgan; one horse the property of M. Reed; two mules the property of Cook & Shaw; one horse the property of Tipton; one horse the property of Hoyt; one mare the property of Gorman; one mare the property of L. V. Steele; value of the whole estimated at \$1,635 00.

April 5—Party of men were attacked while burning lime near Fort Cummings; losing one wagon, all their provisions and camp squipage, valued at \$200 00.

May — (Exact date not known), the Indians attacked a settlement on the Gila river near the site of old Fort West, taking one horse the property of Mr. Arpson; a yoke of oxen the property of M. Goldbaum; the inhabitants were forced to abandon the settlement, crops and everything they had; total loss, \$5,400 00.

May 18—Killed Virgil A. Mastin of Pinos Altos, taking two mules, his arms, watch, clothing, etc., destroyed his buggy, and took about two thousand dollars in money; value of property and money. \$4,850 00.

June 5—Attacked some Mexican Emigrants near Rio Mimbres, and drove off two hundred head of horses valued at sixty dollars each; value of property. 12,000 00.

June 13—Drove off from the Ranch of M. Torres, one mile south of Fort Bayard, two horses, the property

of M. Torres; one horse, the property of J. Medina; one horse, the property of F. Candelario; one yoke of oxen, the property of F. Buckner; one yoke of oxen, the property of Z. Teuton; value of property. \$400 00.

August 12—Attacked some Emigrants near Fort Cummings, and drove off seventy head of cattle, valued at \$75 00 each, \$5,625 00.

August 23—Stole two horses, the property of C. Bottom, one cow, owner unknown; from Rio Mimbres; value of property. \$175 00.

1868—(Exact date unknown.) Stole one horse, one colt and two goats, the property of L. Montoya; one horse and two oxen, the property of E. Pania; one horse and two oxen, the property of L. Griego; two horses the property of W. Munson; all the Rio Mimbres; value of property. \$523 00.

Indians stole one horse, two oxen and one cow the property of J. H. Gorman: eight goats and two hundred sheep the property of W. B. Morgan and R. Chaves, all of the Rio Mimbres; value of property \$777 00.

Sept. 3—Stole two horses from the ranch of Mr. J. F. Bisby, four mules from Fort Bayard; valued at \$375 00.

Sept. 6—Entered the garden of D. Dunworth, three miles south of Fort Bayard and destroyed property to the amount of one hundred dollars.

October 5—Train belonging to Lujan was attacked two miles south of Fort Bayard and seventeen mules were driven off; valued at \$1,275 00.

October 24—Stole one horse the property of Bisby; one horse the property of R. Hudson; value, \$250 00.

October 26—Killed two men named Sedillas and Martinez, ten miles south of Fort Bayard, taking one horse, one mule, arms and clothing, valued at \$300 00.

October 26—Killed P. Quigley three miles south of Fort Bayard, taking his arms and clothing; \$75 00.

October 26—Stole a horse from Mr. Bremen, five miles north of Fort Bayard, valued at \$75 00.

RECAPITULATION.

Total number of lives lost,	-	-	-	5
Total wounded,	-	-	-	3
Total value of property,	-	-	-	\$43,533 00

The foregoing statements and figures, are and exact, so far as I have been able to ascertain. Indians have been prowling around here all the time, rendering it unsafe to travel, except in strong parties. putting almost an entire stop to prospecting, or working the mines in this vicinity, and greatly retarding all branches of industry in the whole county.

J. K. HOUSTON,

Probate Judge of Grant county.

On motion of Hon. Candelario García, the report was referred to the standing committee on Indian Affairs.

Hon. Candelario García moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions in their third reading were announced in order.

None.

On motion of Hon. Anastacio Sandoval the Council adjourned until to-morrow at 10 a. m.

WEDNESDAY, DECEMBER 23, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mara, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and the Hon. President of San Miguel.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

A message from the House was announced and received.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

A message from his Excellency the governor was announced and received

Hon. Diego Archuleta moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A communication from the Superintendent of Indian Affairs relative to holding a conference with the Ute Indians in the Council hall, was taken up.

On motion of Hon. W. L. Rynerson the communication was received, and the chief clerk was instructed to inform the Superintendent that this honorable body would hold the conference in any place he would select except in the hall of the Council.

Hon. Juan Benito Valdez introduced a resolution and it was rejected.

The rules being suspended

Hon. Wm. L. Rynerson introduced—

An act relative to the territorial library.

Was read the first time.

On motion of Mr. A. Sandoval, the rules were suspended and the act.

Was read the second time.

On motion of Hon. Anastacio Sandoval the bill was sent to the Secretary to be printed.

On motion of Hon. Candelario Garcia action was taken upon—

A joint resolution relative to adjourning until Tuesday next the 29th instant, at 10 a. m.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Hon. Anastacio Sandoval the rules were suspended and the resolution

Was read the second time.

On motion of Mr. Anastacio Sandoval the rules were suspended and the resolution

Was read the third time and passed.

On motion of Hon. Diego Archuleta the Council adjourned until Tuesday at 3 p. m.

TUESDAY, DECEMBER, 29, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Rom-

ero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

Hon. Juan Benito Valdez, absent on account of sickness.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

Mr. Romero moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Candelario Garcia made the following report :

Mr. President—

The special committee to which was referred—

A memorial to the Hon. the Congress of the United States asking an increase of the per diem of the officers and members of the Legislative Assembly.

Has had the same under consideration, and beg leave

to refer the same back to the Council for its consideration with the recommendation that the same be adopted with the accompanying amendment.

CANDELARIO GARCIA,
Chairman of the Committee.

Mr. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

On motion of Hon. Andres Romero the amendment was adopted.

On motion of Mr. Candelario Garcia the rules were suspended and the memorial

Was read the third time and passed.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Reports were announced in order.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

A message from the House was announced and received.

On motion of Mr. Celso Baca the rules were suspended.

ed to take action upon the business on the President's table.

Business on President's table.

An act relative to the relief of Reducindo Chaves and Trinidad Lopez.

Originated in the House of Representatives.

Was read the first time.

On motion of Candelario Garcia the act was rejected.

A joint resolution giving thanks to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, for their kindly action in amending the organic act of this Territory, and abolishing the unqualified veto power of the Governor.

Was read the third time.

On motion passed.

A message from the House was announced and received.

A joint resolution to adjourn both houses until Thursday the 31st inst, at 10 o'clock, a. m , in memory of the death of the Rev. Father Billanqui.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Sandoval the rules were suspended and the resolution

Was read the second time.

On motion of Hon. J. M. Pacheco the resolution was amended as follows :

In the second line insert the word "that" before the name of the deceased.

Insert in the place of the words "a black crape," the "customary mourning device."

The rules being suspended

Hon. Candelario Garcia introduced the following resolution :

Resolved, That the Secretary of the Territory be asked to have printed the resolution commemorative of the deceased Father Billanqui missionary of the Jesuit Church, six times in the weekly New Mexican, for the information of the people of this Territory.

On motion of Hon. Anastacio Sandoval, a committee of five was appointed to visit the Right Reverend the Bishop, and to present him with a copy of the resolutions commemorative of Father Billanqui; and the chief Clerk was instructed to inform the Speaker of the House of Representatives in case that body should wish to appoint a committee to accompany the committee from this House.

The committee appointed by the President was composed of the following members :

Messrs. Sandoval, Garcia and Salazar y Jimenes.

On motion of Mr. Sandoval the rules were suspended and the resolution

Was read the third time and passed.

On motion of Hon. Andres Romero the Council adjourned until to-morrow at 10 a. m.

THURSDAY, DECEMBER 24, 1868.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Friday last was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

The Hon. Anastacio Sandoval, chairman of the special committee appointed to visit the Right Reverend the Bishop. and present him a copy of the resolutions commemorative of Father Billanqui deceased, reported that the committee had fulfilled the commission entrusted to-it.

The President, in the name of the Council, returned thanks to the committee.

The order of the day continued.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Jesus Maria Pacheco introduced—

An act relative to returns of lists of sums received by the clerks of the probate courts.

Was read the first time.

On motion of Hon. Andres Romero the rules were suspended and the act

Was read the second time.

On motion the act was sent to the printer to have printed a copy for each member of this body.

On motion of Hon. Juan Salazar the act was referred to the committee on Counties.

Hon. Jesus Maria Pacheco introduced—

An act relative to probate judges and justices of the peace.

Was read the first time.

On motion of Andres Romero the rules were suspended and the act

Was read the second time.

On motion of the same, the act was referred to the printer, to print a copy for each member; and thence, on its being returned from the printer, to be referred to the standing committee on counties.

The order of the day was continued.

Introduction of bills and joint resolutions was announced in order by the President.

None.

Reports were announced in order by the President.

None.

Bills in their second reading were announced in order by the President.

None.

Bills and joint resolutions in their third reading were announced in order.

None.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

An act amending the registry law.

Originated in the House of Representatives.

Was read the first time.

A message from his excellency the governor was announced and received.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

Hon. Anastacio Sandoval offered the following amendment.

After the words "with the consent" insert the words "of the majority."

On motion of Hon. Wm. L. Rynerson the amendment was adopted.

On motion of Mr. Rynerson the act was referred to the standing committee on Privileges and Elections.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The ayes and noes were demanded on the question.

The question upon the amendment was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

The motion was not adopted.

On motion of Hon. Juan Salazar y Jimenes the Council adjourned until Saturday at 10 a. m.

SATURDAY, JANUARY 2, 1869.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

The rules being suspended

Hon. Wm. L. Rynerson introduced—

An act providing for the filling of the vacancy in the office of probate judge in the county of Doña Ana until the next general election.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

Mr. Diego Archuleta moved that the act be referred to the standing committee on privileges and elections.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 3—noes 9.

Those who voted in the affirmative were Honorables Diego Archuleta, José Andres Martinez and Jesus Maria Pacheco.

Those who voted in the negative were Honorables Anastacio Sandoval, Andres Romero, Candelario Garcia, Wm. L. Rynerson, Celso Baca, Felipe Sandoval, Felipe Sanchez, Juan Salazar y Jimenes and the President.

Mr. Rynerson moved to suspend the rules and read the act the third time.

The motion was adopted.

The act was read the third time.

Hon. W. L. Rynerson moved the passage of the act.

Therefore the act was not referred.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 9—nays 3.

Those who voted in the affirmative were Honorables

Celso Baca, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jose Andres Martinez and Jesus Maria Pacheco.

Therefore the act passed.

On motion of Hon. Jesus Maria Pacheco the Council adjourned until Monday at 10 a. m.

MONDAY, JANUARY 4, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

Hon. Celso Baca asked to be allowed to reconsider his vote on—

An act providing for the construction of an acequia and contra-acequia to supply with water the town of Las Cruces in the county of Doña Ana.

A message from the House was announced and received.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Mr. Felipe Sandoval made the following :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act repealing an act entitled an act to suppress the sale of liquor to soldiers and others.

Has carefully examined the same and found it correctly enrolled.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Mr. Felipe Sanchez the report of the committee was adopted.

The Speaker announced having signed the foregoing act.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The order of the day was continued.

Reports of standing committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Hon. Anastasio Sandoval, moved that the reports of the various judges of probate, relative to Indian depredations, of the which he held some; be all referred to the standing committee on Indian Affairs.

The motion was adopted.

On motion of Hon. Diego Archuleta the Council adjourned until Tuesday at 3 p. m.

TUESDAY, JANUARY 5, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego

Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Wm. L. Rynerson introduced—

An act relative to the appointment of Territorial officers, and providing for the performance of the duties of Territorial officers in case of vacancy.

Was read the first time.

On motion of Mr. Pacheco the rules were suspended and the act

Was read the second time.

Hon. Candelario Garcia moved to refer the act to the standing committee on Judiciary.

The motion was adopted.

Therefore the act was referred.

A message from the House was announced and received.

The rules being suspended

Hon. Celso Baca made the following report :

Mr. President :—

The standing committee on Judiciary to which was referred—

An act amending the revenue law.

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

CELSO BACA,
Chairman of the committee.

Mr. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

A message from his excellency the governor was announced and received.

Hon. Wm. L. Rynerson, with suspension of the rules, introduced—

An act to regulate and prescribe the mode in which persons shall be admitted to the practice of medicine.

Was read the first time.

On motion of Andres Romero the rules were suspended and the act

Was read the second time.

Hon. Celso Baca offered to the act the following amendment.

That the provisions of this act shall in no manner affect the county of San Miguel.

On motion of Hon. Wm. L. Rynerson the amendment was rejected.

On motion of Hon. Celso Baca the act was referred to the standing committee on Vice and Immorality.

Hon. Jesus Maria Pacheco "the rules being suspended" introduced—

An act providing for a fence in precinct No. 6, of Taos county, in those parts known as San Cristobal and Las Mesteñas.

Was read the first time.

On motion of Hon. Andres Romero the rules were suspended and the act

Was read the second time.

Hon. Celso Baca offered the following amendment:

That the said fence be made of marble well dressed, and that it shall be five feet height, and that they shall have three years time allowed for its construction.

Hon. Jesus Maria Pacheco moved that the amendment be rejected.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Ayes 12—noes 0.

Those who voted in the affirmative were Honorables Anastacio Sandoyal, Andres Romero, Candelario Garcia, Wm. L. Rynerson, Celso Baca, Felipe Sandoyal, Felipe Sanchez, Juan Salazar y Jimenes, Diego Archuleta, José Andres Martinez Jesus Maria Pacheco and the President.

Those who voted in the negative—none.

Therefore the amendment was rejected.

Hon. W. L. Rynerson moved to adjourn until to-morrow at 9 p. m.

The motion was not adopted.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

On motion of Hon. Juan Salazar the act was referred to the committee on Counties.

Hon. Andres Romero with suspension of rules introduced.

An act repealing section 4 of an act approved January 31, 1866.

Was read the first time.

On motion of Hon. Celso Baca, the Council adjourned until to-morrow at 10 a. m.

THURSDAY, JANUARY 7, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, José Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Friday last was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

Hon. Celso Baca introduced the following petition :

SANTA FE, N. M., January 7, 1869.

Hon. Severo Baca, President of the Council :

Sir—Yonr petitioners, a committee from the county of San Miguel, here for the purpose of soliciting arms from his Excellency the Governor, for the use of militia ; desire the co-operation of the Hon. body to which you belong, to the end of our having success in the fulfillment of our commission.

Very respectfully,

Your obed't serv'ts,

FELIS ULIBARRI

and

LORENZO VALDEZ.

On motion of the Hon. Celso Baca the petition was received and a committee of three members was appointed to co-operate with another like committee from the House of Representatives which that body might think proper to name for the purpose of visiting his excellency the governor to solicit a sufficient quantity of arms as solicited in the petition.

The committee appointed by the President was composed of the following members :

Messrs. Celso Baca, Anastacio Sandoval and Diego Archuleta.

On motion of Celso Baca the chief clerk was instructed to notify the House.

The vice president in the chair.

A message from the House was announced and received.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Celso Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

An act relative to the appointment of officers and providing for the performance of the duties of Territorial officers when vacancies occur.

Has had the same under consideration and returns it to this honorable body and recommends its passage.

CELSE BACA,

Chairman of the committee.

The Hon. Celso Baca moved that the report of the committee be adopted.

Agreed to.

Therefore the report of the committee was adopted.

On motion of Mr. C. Baca the rules were suspended and the act

Was read the third time.

On motion passed.

Hon. Candelario Garcia made the following report :

Mr. President—

The special committee to which was referred—

An act to prevent mercantile transactions being effected on Sundays.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration

with the recommendation that the same be adopted without amendment.

CANDELARIO GARCIA,
Chairman of the Committee.

Hon. Anastacio Sandoval submittee the following report :

Mr. President :

The special committee to which was referred—

An act to prohibit mercantile transactions being effected on Sundays.

Has had the same under consideration and returns it to this honorable body and recommends its rejection.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the act with the reports was referred to the standing committee on Public Property.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act providing for the filling of the vacancy in the office of probate judge in the county of Doña Ana until the next general election.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Mr. Felipe Sanchez the report of the committee was adopted.

The Speaker announced having signed the foregoing act.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act joining precincts 13 and 14 of San Miguel county.

Originated in the House of Representatives.

Was read the first time.

Hon. C. Baca moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Hon. Celso Baca the act was referred to the standing committee on the Judiciary.

A committee from the House was announced and received, the which by its chairman, announced that it was appointed to co-operate with the committee appointed from this Hon. body, to visit his Excellency the Governor, in relation to the arms solicited by the citizens of San Miguel.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The committee on its return reported that it had expressed the wish for arms to the Governor, who had answered the committee that under the existing circumstances it was impossible for him to supply them with more arms than those that had been already provided.

The President returned thanks to the committee.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The ayes and noes were demanded on the question.

The question upon the amendment was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candellio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

A message from the House was announced and received.

The order of the day continued.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

An act amending the revenue law,

On motion of Mr. Rynerson the act was referred to the standing committee on Judiciary.

An act relative to fences in precinct number six in Taos county.

Mr. Diego Archuleta moved that the act be referred to the standing committee on Roads and Ditches.

On motion of Hon. Anastacio Sandoval the Council adjourned until to-morrow at 10 a. m.

FRIDAY, JANUARY 8, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

A message from the House was announced and received.

Reports of standing committees were announced in order by the President.

Hon. Celso Baca made the following report :

Mr. President :—

The standing committee on the Judiciary to which was referred—

An act amending the revenue law.

Has had the same under its careful consideration, and return the act with the recommendation that the accompanying substitute be adopted.

CELSE BACA,
Chairman of the committee.

On motion of Mr. Andres Romero the report was adopted.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The substitute was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

Hon. W. L. Rynerfson moved the act be referred to the printer.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 5—nays 7.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jose Andres Martinez, Jesus Maria Pacheco and Juan Salazar y Jimenes.

Those who voted in the negative were Honorables Celso Baca, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez, Juan Benito Valdez and the President.

Therefore the act was not referred.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

A joint resolution to adjourn both houses until Thursday the 31st inst, at 10 o'clock, a. m., in memory of the death of the Rev. Father Billanqui.

The Speaker announced having signed the aforesaid resolution.

Hon. Jesus Maria Pacheco moved to refer the act to the standing committee on Finance.

The motion was not adopted.

Mr. Candelario Garcia offered the following amendment:

That where it reads "half to the county" it be made to read "that the fines or taxes imposed by virtue of this act shall be paid into the Territorial treasury."

The amendment was rejected.

Mr. Garcia moved to refer the act to the committee on Territorial Affairs.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:

Yeas 5—noes 7.

Those who voted in the affirmative were Honorables Diego Archuleta, Jose Martinez, Candelario Garcia, Jesus Maria Pacheco and Juan Salazar y Jimenes.

Bills and joint resolutions in their third reading were announced in order.

None.

On motion of Hon. Juan Salazar y Jimenes the Council adjourned until Saturday at 10 a. m.

SATURDAY, JANUARY 9, 1869.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names:—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archhuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

A message from his Excellency the governor was announced and received.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Resolutions of this body were announced in order by the President.

Hon. Anastacio Sandoval introduced the following resolution :

Resolved, That the chief clerk of this body shall send a communication to the House, that there may be appointed a committee of three of that body, to confer with a committee of the same number from this body with reference to the reports of the various judges of probate ; this business being of great importance it is hoped, that that body will use prompt co-operation for their deliberations.

Was read the first time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the resolution

Was read the second time.

On motion of Mr. Anastacio Sandoval, the rules were suspended and the resolution

Was read the third time and passed.

Bills and joint resolutions in their third reading were announced in order.

A memorial asking an increase of per diem for the officers and members of the Legislative Assembly.

Was read the third time and passed.

The rules being suspended

Hon. Celso Baca made the following report :

Mr. President :—

The standing committee on the Judiciary to which was referred—

An act joining precincts 13 and 14 of San Miguel county.

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

CELSO BACA,
Chairman of the committee.

Mr. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

A message from his excellency the governor was announced and received.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the third time and passed.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Celso Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

An act assigning the judges of the supreme court of the Territory.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted without amendment.

CELSO BACA,
Chairman of the committee.

The Hon. Celso Baca moved that the report of the committee be adopted.

Agreed to.

Therefore the report of the committee was adopted.

On motion of Mr. C. Baca the rules were suspended and the act

Was read the third time.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 7—nays 4.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Jose Andres Martinez, Wm. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenes and the President.

Those who voted in the negative were Honorables Diego Archuleta, Andres Romero, Felipe Sandoval, and Felipe Sanchez.

Therefore the act was passed.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,

SANTA FE, N. M., Jan. 9, 1868.

Hon. Severo Baca, President of the Legislative Council
of the Territory of New Mexico :

Sir—I have the honor to notify you and through you
the Legislative Council that I have this day approved the
following act originating in your honorable body.

An act providing for the construction of an acequia and
contra acequia to supply with water the town of Las Cru-
ces in the county of Doña Ana.

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of Hon. Diego Archuleta the communica-
tion was received.

The rules being suspended

Mr. Sandaval introduced—

An act amending in part the revenue law approved
February 1st, 1868.

Was read the first time.

On motion of Honorable Celso Baca the rules were sus-
pended and the act

Was read the second time.

On motion of Hon. Celso Baca the act was referred to
the standing committee on Finance.

A message from the House was announced and re-
ceived.

On motion of Hon. J. M. Pacheco action was taken
upon the business on the President's table.

Business on the President's table.

An act repealing section 4 of an act approved January
31, 1866.

Was read the second time.

On motion of Andres Romero the rules were suspended and the act

Was read the third time and passed.

An act to join a part of the precinct of El Peñasco to the precinct of Chamisal in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

Hon. C. Baca moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Hon. Juan Benito Valdez the rules were suspended and the act

Was read the third time and passed.

An act to repeal an act concerning pawnbrokers, approved January 14th, 1868.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

Mr. Sandoval offered the following amendment:

Where it reads "ten cents for each dollar" make it read "eight cents for each dollar."

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:

Yeas 4—noes 9.

Those who voted in the affirmative were Honorables Celso Baca, Jesus Maria Pacheco, Anastacio Sandoval, and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jose Martinez, Candelario Garcia, Andres Romero, Felipe Sandoval, Felipe Sanchez, Juan

Benito Valdez, Wm. L. Rynerson and Juan Salazar y Jimenes.

Therefore the amendment was rejected.

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Internal Improvement.

The motion was not adopted.

On motion of Mr. Pacheco the rules were suspended and the act

Was read the third time.

On motion the act passed.

On motion of Hon. Candelario Garcia the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names:—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archhuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

On motion of Hon. Celso Baca the act was referred to the standing committee on the Judiciary.

A special act for precinct number four of Taos county. Originated in the House.

Was read the first time.

On motion of Hon. W. L. Ryperson the rules being suspended the bill

Was read the second time.

On motion of Mr. Pacheco the act was referred to the standing committee on Roads and Ditches.

An act to provide a mode for the appointing of jurors in the different district courts of this Territory.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the second time.

On motion of Hon. Diego Arceuleta the act was referred to the standing committee on the Judiciary.

A special act for the county of Doña Ana, providing

for the repayment of money to those persons who paid for the construction of a prison in said county.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Hon. Juan Benito Valdez made the following report:
Mr. President:

The standing committee on Roads and Acequias to which was referred—

An act providing for a fence in precinct No. 6, of Taos county, in those parts known as San Cristobal and Las Mesteñas.

Has had the same under consideration and returns it to this honorable body and recommends its passage with an amendment.

JUAN BENITO VALDEZ,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

On motion of Mr. Anastacio Sandoval the rules were suspended and the act

Was read the third time.

On motion the act passed.

A message from the House was announced and received.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

A message from the House was announced and received.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candellio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

An act to designate the place of holding the courts of the justice of the peace of precinct No. 12 in the county of San Miguel.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Archuleta the act was referred to the standing committee on Privileges and Elections.

An act declaring the adoption of Helena Montoya.

Originated in the House.

Was read the first time.

On motion of Hon. Jesus Maria Pacheco the Council adjourned until Monday at 10 a. m.

MONDAY, JANUARY 11, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Saturday last was read and approved.

The order of the day was called.

A message from his Excellency the governor was announced and received.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

Hon. Celso Baca introduced—

An act to give authority to the justices of the peace and probate judges.

Was read the first time.

A committee from the House was announced and received and the chairman announced that it was a committee appointed to co-operate with the Council committee on counties.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

An act relative to probate judges and justices of the peace.

Originated in this body.

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time.

Hon. Candelario Garcia offered the following amendment:

That where it reads "one copy to each judge of probate," it shall read "one copy to each justice of the peace through the probate judge.

The amendment was adopted.

Hon. Anastacio Sandoval offered the following amendment:

“Provided further, that all persons above the age of 50 years, are included in the work in conformity with this act, and that in that part that it reads “shall lend their service” it shall be “by themselves or by a substitute.”

The amendment was adopted.

Hon. Candelario Garcia offered the following amendment to the act:

That where it reads “the half of the fines by virtue of this act shall accrue to the county treasury and the other half to the Territory,” it shall read “that said fines shall be expended in the construction and for the benefit of said roads.”

The amendment was adopted.

On motion the act so amended passed.

Hon. Diego Archuleta moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A recommendation from His Excellency the Governor recommending T. B. Catron for attorney general was read.

On motion of Hon Anastacio Sandoval the communication was referred to the standing committee on Territorial Affairs.

Hon. Celso Baca “the rules being suspended” introduced the following resolution:

Resolved, That the standing committee on Enrolled Bills be instructed to give an account to the Council whenever they present to the Governor, acts for his approval, and that the Chief clerk insert such report in the journal, and moreover, keep a special memoranda of these reports, that it may be knowd when it is time to report such acts in accordance with the amendments to the organic act.

On motion the resolution was adopted and in conformity therewith, the committee and chief clerk were instructed as per resolution.

The reles being suspended,

The Hon. Anastacio Sandoval introduced—

An act to join a part of the county of Rio Arriba to Santa Fé county ;

Accompanied by a petition, signed by the citizens of that part, who desire to be joined to that said county of Santa Fé.

Was read the first time.

On motion of Hon. Celso Baca the sergeant at arms was excused from attending to-days session.

Hon. Diego Archuleta moved that the petition from Rio Arriba county be rejected.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 3—noes 9:

Those who voted in the affirmative were Honorables Diego Archuleta, José Andres Martinez and Jesus Maria Pacheco.

Those who voted in the negative werre Honorables Anastacio Sandoval, Andres Romero, Candelario Garcia, Win. L. Rynerson, Celso Baca, Felipe Sandoval, Felipe Sanchez, Juan Salazar y Jimenes and the President.

Therefore the petition was not rejected.

Hon. Andres Romero moved the petition be adopted.

The ayes and noes were called for on the question.

The question was put, the roll was called and the result was as follows, to wit :

Yeas 9—noes 3.

Those who voted in the affirmative were Honorables Celso Baca of San Miguel, Candelario Garcia of Socor-

ro, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and the Hon. President of San Miguel.

Those who voted in the negative were honosables Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos.

Therefore the petition was adopted.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the second time.

Hon. Diego Archuleta moved to refer the act to the committee on Vice and Immorality.

The motion was not adopted.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

Hon. Diego Archuleta moved to adjourn until to-morrow at 9 a. m.

The motion was not adopted.

Hon. Anastacio Sandoval moved the passage of the act.

The ayes were demanded.

The question was put, the roll called and the result was as follows :

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jose Andres Martinez and Jesus Maria Pacheco.

In conformity with the voting the act passed.

Hon. Jesus Maria Pácheo moved that the Council adjourn until to-morrow at 9 a. m.

The motion was not adopted.

The Vice President in the chair.

Hon. Diego Archuleta moved that the Council adjourned until to-morrow at ten o'clock A. M.

Said motion was not adopted.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act providing for the filling of the vacancy in the office of probate judge in the county of Doña Ana until the next general election.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Mr. Felipe Sanchez the report of the committee was adopted.

The Speaker announced having signed the foregoing act.

The order of the day was continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

A message from the House was announced and received.

On motion of Hon. Diego Archuleta the Council adjourned until Tuesday at 10 a. m.

TUESDAY, JANUARY 12, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel; Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval

of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Paos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

None.

Reports were announced in order by the President.

None.

Bills in their second reading were announced in order by the President.

None.

A message from his Excellency the governor was announced and received,

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

An act relative to joining precincts 13 and 14 of the county of San Miguel.

An act relative to pawn brokers.

An act special to join a part of the precinct of Peñasco

of Taos county, to the precinct of Chamizal, and for other purposes.

The Speaker announced having signed the aforesaid resolution.

A message from the House was announced and received.

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE,
SANTA FE, January 11, 1866.

Hon. Severo Baca, President of the Council :

Sir—I have the honor hereby to inform you, and the Council of the Territory of New Mexico, that in appointing Thomas B. Catron as attorney General of the Territory of New Mexico, sent to the Council on the 7th inst., it was and is my intention to appoint him for the position specified for the regular term of said office, commencing the 8th day of February, 1869, and continuing two years or until his successor be appointed and qualified.

Your obed't servant,
ROB. B. MITCHELL.
Governor of New Mexico.

On motion of Hon. Wm. L. Rynerson the communication was received.

Hon. Felipe Sandoval submitted the following report :

Mr. President—

The standing committee on Enrolled Bills has this day handed the Governor the following :

An act repealing an act entitled an act to suppress the sale of liquor to soldiers and others.

An act relative to the appointment of officers and pro-

viding for the performance of the duties of Territorial officers when vacancies occur.

An act providing for the construction of an acequia and contra acequia to supply with water the town of Las Cruces in the county of Doña Ana.

1 An act relative to the appointment of Ignacio Gonzales as probate judge of Doña Ana county.

FELIPE SANDOVAL,
Chairman of the committee.

The Hon. Celso Baca moved that the report of the committee be adopted.

Agreed to..

Therefore the report of the committee was adopted.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act assigning the judges of the supreme court of the Territory.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Rynerson moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

A message from his excellency the governor was announced and received.

The Speaker announced having signed the foregoing act:

The order of the day was continued.

On motion of Hon. Wm. L. Rynerson the Council went into secret session.

Hon. W. L. Rynerson in the chair.

Hon. Candelario Garcia made the following report :

Mr. President:

The standing committee on Territorial Affairs to which was referred—

The communication of his Excellency the Governor relative to the appointment of Thomas B. Catron as attorney general of New Mexico.

Returns the same for the consideration of the House.

CANDELARIO GARCIA,

Chairman of the Committee.

On motion of Mr. Rynerson the report of the committee was adopted.

On motion of Mr. Sandoval, Thomas B. Catron was proposed and unanimously confirmed as Attorney General of the Territory of New Mexico.

On motion of Hon. Jesus Maria Pacheco the secret session of the Council was dissolved, and the chief clerk was instructed to notify the Governor that the Council had concurred in said appointment.

The president in the chair.

A message from the House was announced and received.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes!

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,

SANTA FE, N. M., Jan. 11, 1868.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to return to you and through you to the Council, a bill originated in the Council, declaring Ignacio Oonzales, judge of probate of Doña Ana county without my approval.

The laws of the Territory contain ample provisions for filling vacancies that occur in the counties by means of special elections ; and I know of no other mode by which to fill the vacancy in the county of Doña Ana ; if not by the ballot box, and in the customary manner permitting the sovereign people of that county, those who are immediately interested in the official taxation of that county, to exercise the privilege of voting ; and they are certainly better qualified to choose, their own local servants, than either the Legislative or Executive branch of the Territorial government.

In conformity with the provisions of section 46 of the law of general elections of the Territory, I have issued my proclamation, for an election in the county of Doña Ana, to fill said vacancy.

It pains me to find myself under the necessity of not agreeing with the Legislature on this or any other subject decreed by your honorable bodies, and I will harmonize so far as it is possible, my views, with those of the members of the Legislative Assembly, in all affairs that belong to the welfare of the people ; more I cannot consent to, or to approve of any enactment which in conscience I consider to be entirely in violation of the organic law, as

upon a critical examination of the provisions of this act without precedent, shows that the Legislature has overstepped its authority in passing this measure.

Fearing that I might be considered as being partizan in my opinion, I have not trusted to my own construction of the law, but have taken the precaution to submit the whole question to Mr. M. Ashurst, attorney general of the Territory, and to Mr. S. B. Elkins, district attorney of the United States, soliciting their opinions in writing in regard to the validity of this enactment in particular; and they are both of the same opinion as myself; and accord with my views as above expressed; that the law is in conflict with organic law of this Territory and in consequence null.

In addition to the illegality of this class of Legislation, it is a very dangerous precedent for the future and gives a heavy stroke at the base of the grand American idea of self government; denying the right of the sovereign people to choose their own local officers; and if the position of the Legislature is sustainable in this case, the same rule will be applicable forever in the future.

I herewith transmit the opinions in writing of the two officers of the Territory for your information.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of Hon. W. L. Rynerson the communication was received so far as related to that part where the Governor made his objections; and the parts relating to the Attorney M. Ashurst, and S. B. Elkins were rejected.

A message from the House was announced and received.

On motion of the Hon. a Wm. L. Rynerson the Council proceeded to re-consider the act returned by the Governor; which was read and the question put its passage.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 9—noes 4.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jose Andres Martinez, Jesus Maria Pacheco and Felipe Sanchez.

Therefore the act passed by more than two-thirds majority.

On motion of Hon. W. L. Rynerson the chief clerk was instructed to transmit the act returned by the Governor, with his objections, to the Speaker of the House, and to report that it had been reconsidered and passed by a two-thirds vote of this body.

The order of the day continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

A message from the House was announced and received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The Hon. Felipe Sandoval introduced—

An act declaring the duties of judges of probate, and justices of the peace in criminal matters.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Candelario Garcia moved to refer the act to the standing committee on Judiciary.

Therefore the act was passed.

The motion was adopted.

Hon. Felipe Sandoval made the following report:

Mr. President:—

The standing committee on Enrolled Bills has this day handed the Governor the following:

An act assigning the judges of the supreme court of the Territory of New Mexico.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act creating and organizing the county of Lincoln.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

On motion of Hon. Candelario Garcia the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names:—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Do-

ña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

The rules being suspended

Hon. Anastacio Sandoval made the following report :—
Mr. President :—

The standing committee on Finance to which was referred—

An act amending the revenue law.

Has had the same under consideration and returns it to this honorable body and recommends its passage with an amendment.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion the report of the committee was adopted.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the third time and passed.

Hon. Anastacio Sandoval made the following report:

Mr. President:

The standing committee on Counties to which was referred—

An act relative to probate judges and justices of the peace.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted.

On motion of Andres Romero the rules were suspended and the act

Was read the third time.

On motion the act passed.

The rules being suspended

Mr. Sandaval made the following report:

Mr. President—

The standing committee on the Counties to which was referred—

An act relative to returns of lists of sums received by the clerks of the probate courts.

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion of Mr. Felipe Sanchez the report of the committee was adopted.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time and passed.

The rules being suspended,

Hon. Wm. L. Rynerson made the following report:

Mr. President—

The standing committee on the Finance to which was referred—

An act amending in part the revenue law approved February 1st, 1858.

Has had the same under consideration and returns it to this honorable body and recommends its adoption.

WM. L. RYNERSON,
Chairman of the committee.

On motion of Hon. Candelario Garcia the report of the committee was adopted.

On motion of Mr. C. Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

An act changing the time of holding the general election of this Territory.

Originated in the House.

Was read the first time.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the second time.

On motion of Mr. Archuleta the act was referred to the standing committee on Privileges and Elections.

An act special for the precinct No. 17, of the county of San Miguel.

Originated in the House of Representatives.

Was read the first time.

Hon. Jesus Maria Pacheco moved to lay the act on the table indefinitely.

The motion was not adopted.

Hon. Jesus Ma. Pacheco moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelaio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn:

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the second time.

On motion of Hon. A. Sandoval the act was referred to the standing committee on the Judiciary.

THURSDAY, JANUARY 14, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of Saturday last was read and approved.

The order of the day was called.

A message from his Excellency the governor was announced and received.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Reports were announced in order by the President.

None.

Bills in their second reading were announced in order by the President.

None.

A message from his Excellency the governor was announced and received.

Hon: Junn B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act to establish a fence in the precinct No. 8 El Llano in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Juan Benito Valdez the rules were suspended and the act

Was read the second time.

On motion of Mr. Pacheco the rules were suspended and the act

Was read the third time and passed.

An act to repeal an act approved January 30, 1867.

Originated in the House of Representatives.

Was read the first time.

Hon. C. Baca moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

Mr. Anastacio Sandoval moved that the act be referred to the standing committee on Enrolled Bills.

The motion was adopted.

Therefore the act was referred.

Mr. Salazar moved that the Council take recess 15 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Diego Archuleta moved to adjourn until to-morrow at 9 a. m.

The motion was not adopted.

Hon. Wm. L. Rynerson made the following report:

Mr. President:—

The standing committee on Public Property to which was referred—

An act to prohibit mercantile transactions being effected on Sundays.

Has had the same under its careful consideration, and return the act with the recommendation that the accompanying substitute be adopted.

WM. L. RYNERSON,
Chairman of the committee:

On motion of Andres Romero the report of the committee was adopted.

The substitute was read the first time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

Hon. Wm. L. Rynerson moved that the original be rejected and the substitute be adopted.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Ayes 5—noes 7.

Those who voted in the affirmative were Honorables Celso Baca, Wm. L. Rynerson, Anastacio Sandoval, J. B. Valdez, and the President.

Those who voted in the negative were Honorables Diego Archuleta, Candelario Garcia, José Andres Martinez, Andres Romero, Felipe Sandoval, Felipe Sanchez, and Juan Salazar y Jimenes.

Consequently the original was not rejected.

On motion of the Hon. Candelario Garcia the substitute was rejected and the original received.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

Mr. Rynerson offered the following amendment :

“The provisions of this act shall not apply to the county of Grant for two years from this time.

The amendment was adopted.

The President in the chair.

Hon. Celso Baca offered the following amendment :

That no person making bailes for speculation shall be permitted to make said bailes on said days, and any person who in this respect shall violate the provisions of this act, shall a fine of not less than fifty dollars nore more than one hundred dollars.

The amendment was adopted.

A message from the House was announced and received.

An act relative to the purchasers of grain. —

Originated in the House. —

Was read the first time.

On motion of Honorable Celso Baca the rules were suspended and the act

Was read the second time. —

A memorial to establieh mail liees from La Mesilla to Tucson.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Rynerson the rules were suspended and the memorial

Was read the second time.

On motion of Hon. W. L. Rynerson the rules being suspended the memorial

Was read the third time and passed. —

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

A memorial asking an increase of per diem for the officers and members of the Legislative Assembly.

Originated in this body.

A memorial asking for the establishment of a military post on Gila river.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Rynerson the rules were suspended and the memorial

Was read the second time.

On motion of Hon. W. L. Rynerson the rules being suspended the memorial

Was read the third time and passed.

An act prescribing the fees of sheriffs when in pursuit of persons charged with any crime, and for other purposes.

Originated in the House of Representatives.

Was read the first time.

Hon. C. Baca moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Hon. W. L. Rynerson the resolution was sent to the translator.

Mr. Garcia moved to refer the act to the committee on Judiciary.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 8—noes 4.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez, Juan Salazar y Jimenes and the President.

Those who voted in the negative were Honorables Celso Baca, Jose Andres Martinez, Juan Benito Valdez and Wm. L. Rynerson.

Therefore the act was referred.

Hon. Jesus Ma. Pacheco moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

On motion of Hon. Jesus M. Pacheco the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jose Andres Martinez of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe San-

deval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A message from the House was announced and received.

Mr. Salazar moved that the Council take recess 15 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,

SANTA FE, N. M., Jan. 14, 1869.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to inform you that I have disapproved—

An act assigning the judges of the supreme court of the Territory.

The same originating in your body, and return the act together with my objections.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico,

On motion of Hon, Candelario Garcia the Council proceeded to take action upon the passage and reconsideration of the act returned by the Governor.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 3—noes 9.

Those who voted in the affirmative were Honorables Celso Baca, Anastacio Sandoval and the President.

Those who voted in the negative were Honorables Diego Archuleta, Candelario Garcia, José Andres Martinez, Andres Romero, Felipe Sandoval, Felipe Sanchez, and Juan Salazar y Jimenes, Wm. L. Rynerson and J. B. Valdez.

Therefore the act was lost.

Hon. Wm. L. Rynerson gave notice that he would reconsider his vote to-morrow.

An act creating an additional precinct in the county of Santa Ana.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

On motion of Hon. A. Romero the act was referred to the standing committee on Public Printing.

The rules being suspended,

Hon. Candelario Garcia made the following report :

Mr. President :

The standing committee on Territorial Affairs to which was referred—

An act relative to returns of lists of sums received by the clerks of the probate courts.

Has had the same under consideration and returns it to this honorable body and recommends its passage with an amendment.

CANDELARIO GARCIA,
Chairman of the Committee.

On motion of Mr. Rynerson the report of the committee was adopted.

The rules being suspended

Hon. Celso Baca made the following report :

Mr. President :—

The standing committee on Privileges to which was referred—

An act changing the time of holding the general election of this Territory.

Has had the same under its careful consideration, and

return the act with the recommendation that the accompanying substitute be adopted.

CELSO BACA,

Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

The substitute was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Archuleta the act was referred to the standing committee on Territorial Affairs.

The Hon's. Diego Archuleta and Jesus Maria Pacheco being absent, the Hon. Wm. L. Rynerson requested that the Council be called.

The Sergeant-at-arms was instructed to close the doors and to place the said Hon's Archuleta and Pacheco under arrest.

The Sergeant-at-arms reported his having complied with his instructions; and the Hon's Diego Archuleta and J. M. Pacheco offered their excuses.

On motion of Wm. L. they were excused, released from arrest, and took thir seats.

The order of the day continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committes were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

An act providing for the election of clerks of the probate court.

Was read the third time.

On motion the act passed.

On motion of Hon. Diego Archuleta the Council adjourned until to-morrow at 10 a. m.

WEDNESDAY, JANUARY 13, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jose Andres Martinez, of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y

Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

A message from his Excellency the governor was announced and received.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Reports were announced in order by the President.

None.

Bills in their second reading were announced in order by the President.

None.

The rules being suspended

Hon. Juan Benito Valdez made the following report:

Mr. President—

The standing committee on Roads and Acequias to which was referred—

A special act for precinct number four of Taos county.

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

JUAN BENITO VALDEZ,
Chairman of the committee.

On motion of Andres Romero the report of the committee was adopted.

On motion Mr. Celso Baca the Council proceeded to take action upon unfinished business.

A special act for precinct number 17 of San Miguel county.

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Judiciary.

The rules being suspended

Hon. Celso Baca introduced the following resolution:

Resolved, That the Hon. J. A. Martinez be excused from attendance upon this session from to-day until the 4th day of February, 1869.

Mr. Baca moved the passage of the resolution.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows:

Yeas 8—nays 4.

Those who voted in the affirmative were Honorables Celso Baca, Jose Andres Martinez, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sanchez, Juan Salazar y Jimenes, Juan B. Valdez and the President.

Those who voted in the negative were Honorables Candelario Garcia, Diego Archuleta, Jesus Maria Pacheco, and Andres Romero.

In accordance with the vote, the resolution was adopted, and in consequence J. Andres Martinez was excused from attendance at this session until the fourth day of February, 1869.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

Hon. Juan Salazar y Jimenes introduced—

An act providing for the election of probate clerks and county treasurers.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Candelario Garcia moved to refer the act to the standing committee on Territorial Affairs.

The motion was adopted.

Therefore the act was referred.

Hon. Wm. L. Rynerson introduced—

A memorial to the Congress of the United States

Was read the first time.

On motion of Felipe Sanchez the rules were suspended and the memorial

Was read the second time.

On motion of Mr. Rynerson the rules were suspended and the memorial

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Was read the third time and passed.

On motion of Hon. Felipe Sánchez the Council adjourned until to-morrow at 10 a. m.

FRIDAY, JANUARY 15, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A message from his excellency the governor was announced and received.

The rules being suspended,

Hon. Felipe Sandoval submitted the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act providing for a fence in precinct No. 6, of Taos county, in those parts known as San Cristobal and Las Meseñas.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Rynerson moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The Speaker announced having signed the foregoing act.

Hon. Celso Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

A special act for precinct number 17 of the county of San Miguel.

Has had the same under consideration and returns it to this honorable body and recommends its adoption.

CELSO BACA,
Chairman of the committee.

On motion of Hon. Candelario Garcia the report of the committee was adopted.

On motion of Mr. C. Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Candelario Garcia made the following report :

Mr. President :—

The standing committee on Territorial Affairs to which was referred—

An changing the time of holding the general election.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

CANDELARIO GARCIA,
Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report of the committee was adopted.

Hon. Jesus Ma. Pacheco offered the following amendment.

That in place of the words 'the first Monday in April,' be inserted "the first Monday in July."

The amendment was not adopted.

A message from the House was announced and received.

Hon. Diego Archuleta offered the following amendment:

That in place of the words "the first Monday in April" shall be read "the first Monday in June."

The amendment was not adopted.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time.

Mr. Romero moved the passage of the act.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:

Yeas 9—3 noes.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jesus Maria Pacheco and Felipe Sanchez.

Therefore the act passed.

A message from the House was announced and received.

Hon. Wm. L. Rynerson moved to reconsider his vote of the previous day, upon the question of the Governor's upon an act assigning the judges of the district court.

The president held the opinion that according to the amendment to the organic law, it gave no right to reconsider, nor provided for such case.

Mr. Rynerson appealed from the decision of the chair.

The question was put, the roll was called and the result was as follows:—

Yeas 6—5.nays.

Those who voted in the negative were the Hons. Celso Baca, Wm. L. Rynerson, Anastacio Sandobal, Felipe Sandobal, and Juan Benito Valdez.

In accordance with the vote the decision of the Chair was sustained.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A Memorial relative to Indian depredations in the counties of Valencia and Socorro.

Originated in the House.

Was read the first time.

A message from his Excellency the governor was announced and received

On motion of Hon. Candelario García, the rules were suspended and the memorial

Was read the second time.

On motion of Mr. Pacheco the rules were suspended and the memorial

Was read the third time and passed.

An act declaring the legitimacy of Pablo Chavez.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Sandoval moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

The Hon. Anastacio Sandoval introduced—

A joint resolution relative to Gen. Heath, Secretary of the Territory.

Was read the first time.

On motion of Honorable Celso Baca the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the resolution

Was read the third time and passed unanimously.

The President in the chair.

An act declaring the adoption of Maria Rufina Montoya.

Originated in the House.

Was read the first time.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the second time.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

On motion the act passed.

On motion of Hon. Jesus M. Pacheco the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names:—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A message from the House was announced and received.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act declaring the legitimacy of Pedro, Jacinta, Placida, Juliana and Tomasa, children of Jesus Santisteven and of Maria de Jesus Martinez.

Originated in the House of Representatives.

Was read the first time.

Hon. C. Baca moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Mr. J. Valdez the rules were suspended and the act

Was read the third time.

On motion the act passed.

An act declaring the adoption of Helena Montoya.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

Hon. Celso-Baca moved that the act be laid on the table indefinitely.

The motion was not adopted.

On motion of Felipe Sanchez the rules were suspended and the act

Was read the third time.

Mr. Romero moved the passage of the act.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows :

Yeas 8—3 noes.

Those who voted in the affirmative were Honorables Diego Archuleta, Jesus Maria Pacheco, Felipe Sanchez, Candelario Garcia, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Celso Baca, Andres Romero and Juan Salazar y Jimenes.

Therefore the act passed.

Mr. Salazar moved that the Council take recess 15 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

An act increasing the per diem of the officers of the present legislative assembly.

Originated in the House.

Was read the first time.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the second time.

The Hon. Jesus Maria Pacheco presented the following amendment to the act :

That the warrants shall be issued in sums of ten dollars or more, at the option of the members ; and that the Secretary place this amendment, in such part of the act as shall be considered proper.

Hon. Candelario Garcia offered the following amendment to the act :

That the warrants shall not be for less than ten dollars nor for more than twenty five dollars.

The above amendments were adopted.

Hon. Wm. L. Rynerson offered the following amendment to the act.

That the provisions of this act shall not apply to the present Legislative Assembly.

The amendments was rejected.

A message from the House was announced and received.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

The act was read the third time.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 6—nays 4.

Those who voted in the affirmative were Honorables Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez, Juan Salazar y Jimenes, and Juan B. Valdez.

Those who voted in the negative were Honorables Celso Baca, Candelario Garcia, Wm. L. Rynerson and Anastacio Sandoval.

Therefore the act was referred.

A communication from the House was read which was as follows :

HOUSE OF REPRESENTATIVES,

Santa Fe, January 15, 1869.

Hon. Severo Baca, President of the Council :

I have the honor to report to you and through you, to this honorable body ; that the House of Representatives of this Territory in this afternoon's session have passed an act originated in this honorable body, entitled

An act joining precincts 13 and 14 of San Miguel county.

Which was disapproved by the Governor, and again passed by this honorable body by a two-thirds vote, as required by the Organic Law, notwithstanding the Governor's veto.

Very respectfully,

FRANCISCO SALAZAR,

Chief Clerk.

On motion of Hon. Candelario Garcia the Council proceeded to take action upon the passage and reconsideration of the act returned by the Governor.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 9—noes 2.

Those who voted in the affirmative were Honqrables Celso Baca, Anastácio Sandoval, Candelario Garcia, Andres Romero, Felipe Sandoval, Juan Salazar y Jimenes, Wm. L. Rynerson and J. B. Valdez and the President.

Those who voted in the negative were Honqrables Felipe Sanchez and Jesus Maria Pacheco.

Therefore the act was passed.

The President announced that the act was law notwithstanding the objections of the Governor.

On motion of Hon. Candelario Garcia the Council was adjourned until to-morrow at 10 a. m.

SATURDAY, JANUARY 16, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

The Hon. Anastacio Sandoval introduced—

An act amending the registry law.

A message from his Excellency the governor was announced and received.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Anastacio Sandoval offered an amendment to the act:

That the amounts of the fines, imposed upon the Judges of registration, shall belong one half to the Treasury of the Territory, and the other half to the Country Treasury.

On motion of Mr. Garcia the amendments was adopted.

On motion of Hon. Candelario Garcia the act was referred to a special committee of three.

The committee appointed by the President was composed of the following members:

Hons. Garcia, Sandoval and Sanchez.

Hon. Felipe Sanchez introduced:

An act declaring the water known as Agua Dulce in Mora county to be public property.

Was read the first time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

On motion of Hon. Felipe Sanchez the rules being suspended the act

Was read the third time and passed.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

A special act for the county of Doña Ana, providing for the repayment of money to those persons who paid for the construction of a prison in said county.

An act creating and organizing the county of Lincoln.
The Speaker announced having signed the aforesaid acts.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act establishing a tax on billiard tables.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Gandelario Garcia, the rules were suspended and the act

Was read the second time.

Hon. Gandelario Garcia moved to refer the act to the standing committee on Territorial Affairs.

The motion was adopted.

Therefore the act was referred?

A joint resolution soliciting a pardon for Nestor Garcia

Originated in the House.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the resolution

Was read the second time.

Hon. Diego Archuleta moved to refer the resolution to the committee on Judiciary.

The motion was not adopted.

On motion of Hon. Celso Baca the act was referred to a special committee of three.

The committee appointed by the President was composed of the following members:

Messrs. Celso Baca, Gandelario Garcia and Diego Archuleta.

A message from the House was announced and received.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.:

The question was put, the roll was called and the result as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

On motion of the Hon. Candelario Garcia the Council took a recess until 3½, p. m.

AFTERNOON SESSION:

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

Hon. Celso Baca asked leave to make a verbal report.

The President said it was not in order.

Hon Celso Baca appealed from the decision of the President.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 6—noes 2.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and the President.

Those who voted in the negative were Honorables Celso Baca and Juan Salazar y Jimenes.

Therefore the decision of the President was sustained.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

An act creating, and organizing the country of Colfax, Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The order of the day continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

On motion of Hon. Jesus Maria Pacheco the Council adjourned until Monday at 10 a. m.

MONDAY, JANUARY 18, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

Hon. Celso Baca moved, for the reconsideration of the passage of "an act creating, and organizing the county Colfax," and the Secretary be instructed to send a communication to the chief clerk of the House, to return said act to this honorably body.

The ayes and noes were called for.

The question was put, the roll was called and the result was as follows:—

Yeas 7—nays 1.

Those who voted in the negative were the Hons. Celso Baca, Wm. L. Rynerson, Anastacio Sandobal, Felipe Sandobal, and Juan Benito Valdez, Juan Salazar y Jimenes and the President.

In the negative voted Hon. Felipe Sanchez.

Hon. Jesus Maria Pacheco moved that the Council adjourn until to-morrow at 9 a. m.

The motion was not adopted.

Hon. Diego Archuleta moved that the Council adjourned until to-morrow at ten o'clock A. M.

Said motion was not adopted.

According to the voting as above, the President announced that the passage of the act would be reconsidered, and the Secretary was instructed to send a communication to the House, requiring them to return it to this honorably Body.

The order of the day was called.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Reports were announced in order by the President.

None.

Hon. Wm. L. Rynereon moved that the rules be suspended to take action on—

An act relative to the appointment of Territorial officers, and providing for the performance of the duties of Territorial officers in case of vacancy.

Originated in this body.

The House concurred in its passage with an amendment:

A message from his Excellency the governor was announced and received.

The amendment was adopted.

The rules being suspended,

Hon. Felipe Sandoval submitted the following report:

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act to repeal an act approved January 30, 1867.

Has the honor to report that it has had the same un-

der consideration and respectfully recommends its passage without amendment.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Rynerson moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

Hon. Candelario Garcia moved that the House take recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Hon. Wm. L. Rynerson made the following report:

Mr. President:

The standing committee on Public Property to which was referred—

The report of the Territorial Treasurer for the fiscal year ending the November 15th; 1868; has had the same under consideration.

In addition to the report referred for the examination of your committee; the treasurer, upon an application from said committee has furnished a complete list of the warrants paid by him during the fiscal year above mentioned, which list accompanies this report and said return.

After a careful examination of the return and list of the Treasurer your committee respectfully recommends that the Treasurer have credit for the sum of \$14,222 20 in said return, this being the sum of the overplus after deducting the sums paid to officers or to pretended officers who never have been appointed and confirmed as required by law.

The sum so paid to such persons, is according to the list furnished:—to wit \$1,427 29 which sum your committee believe to have been wrongfully paid; and recommend that such steps be taken by the legislative as shall put an end to any more illegal payments, and shall recover those that have already been so wrongfully paid.

WM. L. RYNERSON,
Chairman of the committee.

On motion of Andres Romero the report of the committee was adopted.

Mr. Felipe Sandoval made the following report:
Mr. President—

The standing committee on Enrolled Bills has this day handed the Governor the following:

An act relative to fences in precinct number six in Taos county.

An act to join a part of the county of Río Arriba to Santa Fé county;

FELIPE SANDOVAL,
Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

Hon. Candelario Garcia introduced—

An act concerning persons occupying lands on private grants and for adjudicating such cases in court.

Was read the first time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Pacheco the act was referred to the standing committee on Judiciary.

An act to prohibit mercantile transactions being effected on Sundays.

Was read the third time and passed.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

On motion the act passed.

A committee from the House was announced and received, and requested the signature of the President to the following:

A special act for precinct number 17 of the county of San Miguel.

An act declaring the legitimacy of Pablo Chavez.

An act establishing the pay of the members of the Legislative Assembly.

An act changing the time of holding the general election of this Territory.

An act to legitimate Pedro, Jacinta, Placida, Juliana and Tomasa, children of Jesus Santistevan and of Maria de Jesus Martinez.

An act to establish a fence in the precinct No. 8 El Llano in the county of Taos.

A memorial to establish mail lies from La Mesilla to Tucson.

A memorial to the Congress of the United States

A memorial asking an increase of per diem for the officers and members of the Legislative Assembly.

The Speaker announced having signed the foregoing acts and memorial.

On motion of the Hon. Candelario Garcia the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business. -

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order:

None.

Reports of special committees were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

Hon. Candelario Garcia introduced—

An act to regulate the rates of toll on the bridge over the Rio Puerco.

Was read the first time.

From the President's Table, was announced a communication, returning "the act creating, and organizing the county of Colfax," which was adopted, the act was taken up for the action of the council.

Hon. Jesus Maria Pacheco, offered the following amendment to the act :

That the title of the county shall be, 'Maxwell,' and the county seat, "the Cimarron."

The amendment was adopted.

On motion of Hon. Candelario Garcia the act was referred to a special committee of four members.

The committee appointed by the President was composed of the following members :

Messrs. Garcia, Baca, Rynerson and Sanchez.

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE,

SANTA FE, January 18, 1866.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to notify you and through you the Legislative Council that I have this day approved the following act originating in your honorable body.

An act to join a part of the county of Río Arriba to Santa Fé county;

Your obed't servant,
ROB. B. MITCHELL.
Governor of New Mexico.

On motion of Hon. Wm. L. Rynerson the communication was received.

Hon. Celso Baca, with a suspension of the rules, submitted the following resolution :

Resolved, That the principal Secretary of this body be instructed to send a communication to the chief clerk of the House of Representatives, requesting him to send all the documents concerning the petitions made by the inhabitants of the county of Mora, for the creation of a new county.

On motion of the Hon. Candelario Garcia, the resolution was adopted.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Hon. Celso Baca made the following report :

Mr. President :—

The standing committee on Privileges to which was referred—

A joint resolution soliciting a pardon for Nestor Garcia
Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

CELSO BACA,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

On motion of Mr. Romero the rules were suspended and the resolution

Was read the third time and passed.

The rules being suspended

Hon. Andres Romero introduced—

An act for the relief of Jesus Maria H. Alarid.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

The President in the chair.

Hon. Candelario Garcia moved to refer the act to the standing committee on Public Printing.

On motion of Hon. Felipe Sanchez the Council adjourned until to-morrow at 10 a. m.



TUESDAY, JANUARY 19, 1869.*

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora,

Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

The Hon. Anastacio Sandoval introduced—

An act amending an act entitled Militia.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

Mr. Anastacio Sandoval moved that the act be referred to the standing committee on Agriculture.

A message from the House was announced and received.

Hon. Wm. L. Rynerson offered the following amendment:

Provided, That this act shall not have effect until the Adjutant General shall have been appointed and confirmed according, to the law of this Territory.

The motion was to refer the act and amendment:

The ayes and noes were called for.

The question was put, the roll was called and the result was as follows:—

Yeas 7—nays 1.

Those who voted in the affirmative were the Hons. Celso Baca, Wm. L. Rynerson, Anastacio Sandobal, Felipe Sandobal, and Juan Benito Valdez, Felipe Sanchez and the President.

In the negative voted Hon. Juan Salazar y Jimenes. Therefore the act was referred.

Mr. Salazar moved that the Council take recess 15 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Jesus Maria Pacheco moved that the Council adjourn until to-morrow at 9 a. m.

The motion was not adopted.

Hon. Celso Baca made the following report:

Mr. President—

The standing committee on the Judiciary to which was referred—

An act concerning persons occupying lands on private grants and for adjudicating such cases in court.

Has had the same under consideration and returns it to this honorable body and recommends its adoption.

CELSO BACA,

Chairman of the committee.

On motion of Hon. Candelario Garcia the report of the committee was adopted.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time.

On motion the act passed.

Hon. Celso Baca submitted the following report :

Mr, President :—

An act to give authority to the justices of the peace and probate judges.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with out amendment.

CELSE BACA,
Chairman of the committee.

On motion of Andrés Romero the report of the committee was adopted.

Hon. Diego Archuleta moved that the Council adjourned until t-morrow at ten o'clock A. M.

Said motion was not adopted.

On motion of Felipe Sanchez the rules were suspended and the act

Was read the third time.

Hon. Celso Baca offered the following amendment.

Provided, That after having paid the jail fees, is free which was adopted.

On motion of the Hon. Andres Romero, the act, as amended passed.

Mr. Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

An act to provide a mode for the appointing of jurors in the different district courts of this Territory.

Has had the same under consideration and returns it to

this honorable body and recommends its passage without amendment.

CELSE BACA,
Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

A message from the House was announced and received.

Hon. Jesus Ma. Pacheco, moved the act be referred to the committee on counties:

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Ayes 9—noes 2.

Those who voted in the affirmative were Honorable Celso Baca, Anastacio Sandoval, Candelario Garcia, W. L. Rynerson; J. B. Valdez, Felipe Sanchez and Jesus Maria Pacheco, Juan Salazar y Jimenes and Felipe Sandoval.

Those who voted in the negative were Honorable Andres Romero and the President.

Therefore the act was referred.

A message from his Excellency the governor was announced and received,

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The Vice President in the chair.

Hon. Wm. L. Rynerson, with suspension of the rules, introduced—

An act assigning the Judges of the Supreme Court of the Territory of New Mexico.

Was read the first time.

On motion of Hon. Candelario Garcia, the rules were suspended and the act

Was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act relative to fences in precinct number six in Taos county.

Originated in the House of Representatives.

Was read the first time.

The order of the day continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

The President announced, a report from the Judge of Probate of the county of Rio Arriba, which was referred to the committee on counties, as already determined by this body.

On motion of Hon. Candelario Garcia the Council was adjourned until to-morrow at 10 a. m.



WEDNESDAY, JANUARY 20, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Hon. Andres Romero moved that the rules be suspended to take action on—

An act repealing section 4 of an act approved January 31, 1866.

The motion was adopted.

The act originated in this body.

The House concurred in its passage with an amendment :

The amendment was adopted and so the act passed.

Hon. Celso Baca, introduced the following resolution :

Resolved, That any act whatsoever which shall be vetoed by the Governor, shall be taken up for the action of the council thereon, at any time that, that body, may determine upon so doing, and if the question shall have

been lost by reason of adjournment; this body shall raise the question at any other time whatever, before it shall have been finally determined upon.

Hon. Anastacio Sandoval moved the adoption.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:

Yeas 6—4 noes.

Those who voted in the affirmative were Honórables Celso Baca, Wm. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jesus Maria Pacheco, Felipe Sánchez and Candelario Garcia.

Therefore the resolution passed.

Hon. Wm. L. Rynerson introduced—

An act to redeem certain warrants drawn by Epifanio Vigil.

Was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the third time and passed.

A message from his excellency the governor was announced and received.

The rules being suspended,

Hon. Candelario Garcia made the following report:

Mr. President:

The standing committee on Territorial Affairs to which was referred—

An act establishing a tax on billiard tables.

Has the honor to report that it has examined the same and finds it just and recommends its passage.

CANDELARIO GARCIA,
Chairman of the Committee.

On motion of Mr. Rynerson the report of the committee was adopted.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the third time and passed.

An act relative to the Territorial Library

Was read the first time.

Hon. Sandoval moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Hon. Rynerson the act was referred to the standing committee on Vice and Immorality.

Hon. Jesus Maria Pacheco introduced—

A memorial relative to grants.

Was read the first time.

On motion of Honorable Celso Baca the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the memorial

Was read the third time and passed.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables

Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

On motion of Hon. Diego Archuleta the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names:—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A message from his Excellency the governor was announced and received.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act authorizing the probate judge of Santa Fe county to sell certain real estate.

A message from the House was announced and received.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the third time.

On motion the act passed.

An act abolishing precincts 1 and 13 in the county of Doña Ana.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Hon. W. L. Rynerson the rules being suspended the act

Was read the second time.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the third time.

On motion the act passed.

An act to indemnify Jose D. Sena, sheriff of Santa Fé county, for certain public services.

Originated in the House.

Was read the first time.

A message from the House was announced and received.

On motion of Mr. Sandoval the rules were suspended and the memorial

Mr. Garcia moved to refer the act to the committee on Judiciary.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 6—noes 2.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and the President.

Those who voted in the negative were Honorables Celso Baca and Juan Salazar y Jimenes.

Therefore the act was referred.

The president in the chair.

An act requiring the Governor to issue a commission to Ignacio Gonzales, judge of probate of the county of Doña Ana.

Was read the first time

On motion of Wm. L. Rynerson the rules were suspended and the act

Was read the second time.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

Hon. Wm. L. Rynerson called for the passage of the act.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:—

Yeas 6—4 noes.

Those who voted in the affirmative were Honorables Celso Baca, Wm. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Jesus Maria Pacheco, Felipe Sanchez and Candelario Garcia.

Therefore the act was passed.

An act relative to fences,

Originated in the House of Representatives.

Was read the first time.

The order of the day continued.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

On motion of Hon. Juan Salazar y Jimenes the Council adjourned until to-morrow at 10 a. m.

THURSDAY, JANUARY 21, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President."

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

A joint resolution soliciting a pardon for Nestor Garcia
The President announced having signed the foregoing.
Hon. W. L. Rynerson in the chair.

The rules being suspended

Hon. Severo Baca introduced—

An act for precinct number 18 of Alamosa in San Miguel county.

Was read the first time.

On motion of Hon. Celso Baca, the rules were suspended and the act.

Was read the second time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the third time and passed.

Reports of standing committees were announced in order.

Mr. Jesus Ma. Pacheco made the following report :

Mr. President :—

The standing committee on Vice and Immorality to which was referred—

An act to regulate and prescribe the mode in which persons shall be admitted to the practice of medicine.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

JESUS M. PACHECO,
JESUS MARIA PACHECO,

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Hon. Candelario García made the following report :

Mr. President :

The special committee to which was referred—

An act entitled an act amending the registration law.

Having considered the same returns it with a provision to section 4 and so amended recommends its passage.

CANDELARIO GARCIA,
Chairman of the Committee.

On motion of Mr. Rynerson the report of the committee was adopted.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the third time.

J. M. Pácheo offered the following amendment:

That the law shall only take effect in general elections.

The amendment was adopted.

On motion the act thus amended passed.

The rules being suspended,

Hon. Candelario Garcia introduced—

An act creating and organizing two additional precincts in the county of Socorro.

Hon. Sandoval moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the third time and passed.

Hon. Wm. L. Rynerson introduced—

A joint resolution providing for the publication of the treatise of Pedro Murillo y Velarde on wills and testaments with the laws of this session.

Was read the first time.

On motion of Hon. J. M. Pacheco the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the resolution

Was read the third time and passed.

The order of the day was called.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

A message from the House was announced and received.

Reports of special committees were announced in order by the President.

None.

Reports were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Bills in their second reading were announced in order by the President.

An act relative to fences.

Was read the second time.

Hon. Celso Baca moved that the act be laid on the table indefinitely.

The motion was not adopted.

Mr. S. Baca moved to refer the act to the committee on Counties.

The ayes and noes were demanded,

The question was put, the roll called and the result was as follows :

Yeas 6—noes 2.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and the President.

Those who voted in the negative were Honorables Celso Baca and Juan Salazar y Jimenes.

Therefore the act was referred.

An act to regulate the rates of toll on the bridge over the Rio Puerco.

Was read the second time.

Hon. W. L. Rynerson moved that the act be referred to the standing committee on Agriculture.

A message from the House was announced and received.

An act relative to the purchasers of grain.

Was read the second time.

On motion of Hon. Juan Salazar the act was referred to the committee on Territorial Affairs.

On motion of Hon. Felipe Sanchez the Council adjourned until to-morrow at 10 a. m.

FRIDAY, JANUARY 22, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Anastacio Sandoval made the following report :

Mr. President—

The standing committee on the Counties to which was referred—

An act relative to fences.

Has had the same under consideration and returns it to this honorable body and recommends its passage with an amendment.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time and passed.

A communication from the House was read which was as follows :

HOUSE OF REPRESENTATIVES,

Santa Fe, January 21, 1869.

Hon. Severo Baca, President of the Council :

Sir—I am instructed by this Hon. body to report to the Council, that this day,

An act establishing the pay that shall be received by the Legislative Assembly of the Territory of New Mexico ; was reconsidered, and passed notwithstanding the

objections of the Governor, by a vote of more than two-thirds of the members present—which law, together with the objections, I herewith transmit to your Hon. body, for its reconsideration, according as is required by the organic law as amended.

Very respectfully,
FRANCISCO SALAZAR,
Chief Clerk.

EXECUTIVE OFFICE,
SANTA FE, N. M., Jan. 21, 1869.

To the Hon. Council and House of Representatives.

I have the honor herewith to return to your Hon. bodies,

An act entitled an act increasing the per diem of the members and officers of the Legislative Assembly of this Territory without my approval.

I would very cheerfully approve this act if the Territory had any general system of taxation or any possible means of meeting the present as well as all future liabilities of the Territorial government.

I am fully satisfied that the compensation of members and officers of the Legislature is wholly inadequate to their support while in attendance at the capital during the annual session of Legislative Assembly—but without a system of taxation to meet this as well as existing liabilities I do not feel warranted in approving this bill.

I have the honor to be very respectfully,

Your obedient servant,
ROB. B. MITCHELL,
Governor of New Mexico.

On motion of the Hon. Anastacio Sandoval the communications were received.

The council proceeded to reconsider the act notwithstanding the governor's objections.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 10—noes 1.

Those who voted in the affirmative were Honorables Gingo Arjholeta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Anastacio Sandoval, Felipe Sanchez, Juan Salazar y Jimenes, J. B. Valdez, and the President.

In the negative voted Honorable W. L. Rynerson.

The President declared the act a law notwithstanding the objections of His Excellency the Governor.

The rules being suspended,

Hon. Candelario Garcia introduced—

A special act relative to the Socorro county Grant.

Was read the first time.

A committee from the House was announced and received, and requested the signature of the President to the following :

An act requiring the Governor to issue a commission to Ignacio Gonzales, judge of probate of the county of Doña Ana.

An act establishing a tax on billiard tables.

An act abolishing precincts 1 and 13 in the county of Doña Ana.

An act authorizing the probate judge of Santa Fe county to sell certain real estate.

The Speaker announced having signed the aforesaid acts.

Hon. Candelario Garcia moved that the rules be suspended to take action on—

An act relative to the grant of Socorro county.

The motion was adopted.

The act originated in this body.

Was read the second time.

A message from his excellency the governor was announced and received.

On motion of Celso Baca the act was referred to the standing committee on Counties.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candellio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

The Hon. Anastacio Sandoval introduced—

An act for the relief of John and Michael McGee.

Was read the first time.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the second time.

On motion of Honorable Celso Baca the act was referred to a special committee of three.

The committee appointed by the President was composed of the following members:

Messrs. Baca, Sandoval and Archuleta.

Mr. Sandoval introduced the following resolution:

Resolved, That the law just passed over the Governor's veto be returned to the House for its information.

On motion of Mr. Pacheco the resolution was adopted.

On motion of the Hon. Candelario Garcia the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

A message from the House was announced and received.

Hon. Wm. L. Rynerson Introduced—

An act relieving John Martin from the payment of certain taxes at the Aleman in the county of Socorro.

Was read the first time.

On motion of Hon. W. L. Rynerson, the rules were suspended and the act

Was read the second time.

On motion of Wm. L. Rynerson the rules were suspended and the act

Was read the third time.

On motion the act passed.

J. B. Valdez introduced—

An act creating and organizing two additional precincts in the county of Taos.

Was read the first time

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Jesus Maria Pacheco moved that the Council adjourn until to-morrow at 9 a. m.

The motion was not adopted.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

A memorial to the Congress of the United States asking an increase of representation and another associate judge.

Was read the first time.

On motion of Hon. Candelario Garcia the rules being suspended the memorial

Was read the second time.

On motion of Mr. Romero the rules were suspended and the memorial

Was read the third time.

On motion the act passed.

A resolution for the holding of two sessions daily during the present session.

Originated in the House of Representatives.

Was read the first time.

On motion of Candelario Garcia it was laid on the table indefinitely.

An act relative to stray animals.

Originated in the House.

Was read the first time.

On motion of Mr. Romero the act was rejected.

An act providing for the pay of United States jurors in the district court.

Originated in the House of Representatives.

On motion of Candelario Garcia the rules were suspended and the act

Was read the second time.

On motion of Celso Baca the rules were suspended and the act

Was read the third time and passed.

An act authorizing the Governor to pardon in certain cases.

Originated in the House of Representatives.

Was read the first time.

A message from the House was announced and received.

On motion of Mr. Romero the rules were suspended and the act

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Territorial Matters.

The motion was adopted.

Therefore the act was referred.

An act creating and organizing an additional precinct in the county of Rio Arriba.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Juan Benito Valdez the rules were suspended and the act

Was read the second.

On motion of Hon. Diego Archuleta the rules were suspended and the act

Was read the third time.

Hon. Diego Archuleta moved that the act be referred to the standing committee on the Judiciary.

The motion was not adopted.

Mr. Sandoval moved the passage of the act.

The ayes and noes were called for.

The question was put, the roll was called and the result was as follows:—

Yeas 7—nays 2.

Those who voted in the affirmative were the Hons. Celso Baca, Candelario Garcia, Wm. L. Rynerson, Anastacio Sandobal, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta and Andres Romero.

Therefore the act passed.

A communication from the House was received stating that it had passed over the Governor's veto, by more than two thirds majority, and desiring the Council to also reconsider the same act, viz :

A special act for the county of Doña Ana, providing for the repayment of money to those persons who paid for the construction of a prison in said county.

On motion of Hon. Wm. L. Rynerson the communication was received.

On motion of Hon. Candelario Garcia the Council proceeded to take action upon the passage and reconsideration of the act returned by the Governor.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 8—nays 1.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Wm. L. Rynerson, Juan B. Valdez, Jesus Maria Pacheco, Andres Romero, Juan Salazar y Jimenes, Anastacio Sandoval and the President.

Those who voted in the negative were Honorables Diego Archuleta.

And so the act passed by a vote of more than two-thirds, and the President announced that the act was law.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

On motion of Hon. W. L. Rynerson the Council adjourned until to-morrow at 10 a. m.

SATURDAY, JANUARY 23, 1869.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the President.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Anastacio Sandoval made the following report:

Mr. President—

The standing committee on the Counties to which was referred—

An act relative to the grant of Socorro county.

Has had the same under consideration and returns it to this honorable body and recommends its passage without amendment.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time and passed.

A message from his excellency the governor was announced and received.

Hon. Candelario Garcia made the following report:

Mr. President:

The special committee to which was referred—

An act creating, and organizing the country of Colfax,

Has the honor to report that it has had the same under consideration and respectfully recommends its passage without amendment.

CANDELARIO GARCIA,
Chairman of the Committee.

Hon. Celso Baca made the following report:

Mr. President:—

The minority of the special committee to which was referred—

An act creating and organizing the county of Colfax.

Has had the same under consideration, and beg leave

to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

CELSO BACA,
Chairman of the committee.

A message from the House was announced and received.

Hon. Wm. L. Rynerson moved that the report of the majority be adopted.

Hon. Celso Baca moved that the report of the minority be adopted.

Hon. Celso Baca moved that the report of the majority be rejected.

The Vice President in the chair.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows :

Yeas 5—5 noes.

Those who voted in the affirmative were Honorables Celso Baca, Jesus Maria Pacheco, Juan Salazar y Jimenes, Juan Benito Valdez, and the President.

Those who voted in the negative were Honorables Candelario Garcia, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, and Felipe Sanchez.

Therefore the report of the majority was not rejected.

Hon. Candelario Garcia moved that the report of the minority be rejected.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :-

Ayes 5—noes 5.

Those who voted in the affirmative were Honorables Candelario Garcia, Andres Romero, W. L. Rynerson, Anastacio Sandoval, and Felipe Sanchez.

In the negative voted Honorables Celso Baca, Jesus Maria Pacheco, Juan Salazar y Jimenes, J. B. Valdez, and the President.

Therefore the report of the minority was not rejected.

Hon. Wm. L. Rynerson moved that the rules be suspended for the passage of the act in question.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 5—nays 5.

Those who voted in the affirmative were Honorables Candelario Garcia, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval and Felipe Sanchez.

Those who voted in the negative were Honorables Celso Baca, Jesus Maria Pacheco, Juan Salazar y Jimenes, Juan B. Valdez, and the President.

Therefore the act did not pass.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The order of the day was called.

Petitions and memorials were announced in order by the President.

Reports of standing committees were announced in order.

None.

A message from the House was announced and received.

Reports of special committees were announced in order by the President.

None.

Reports were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Bills in their second reading were announced in order by the President.

The President in the chair.

A message from the House was announced and received.

On motion of the Hon. Candelario Garcia the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo; Candelario Garcia

of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

A message from his Excellency the governor was announced and received.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An authorizing the justices of the peace to receive impound and provide for the safe keeping of animals, and for other purposes.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Education..

The motion was adopted.

Therefore the act was referred.

An act declaring the adoption of Maria Romana Sais.

Hon. Sandoval moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

An act declaring the rights of possession.

Originated in the House of Representatives..

Was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

A message from the House was announced and received.

The rules being suspended

Hon. Candelario Garcia made the following report :

Mr. President :—

The standing committee on Roads and Acequias to which was referred—

An act amending an act entitled Militia.

Has had the same under consideration and returns it to this honorable body and recommends its adoption with an amendment.

CANDELARIO GARCIA,
Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The amendment was adopted.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the third time.

On motion the act thus amended passed.

An act declaring a public road through the town of San Antonio, and the settlements of Agua Negra, in the county of Mora.

Originated in the House of Representatives.

Was read the first time.

On motion of Candelario Garcia the rules were suspended and the act

Was read the second time.

On motion of Mr. Sanchez the act was referred to the standing committee on Counties.

A message from his Excellency the governor was announced and received.

An act to amend section 32 of an act entitled an act to prohibit the introduction of animals within certain limits, approved February 2, 1860.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Juan Salazary Jimenes the Council adjourned until to-morrow at 10 a. m.

MONDAY, JANUARY 25, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel; Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

The rules being suspended

Hon. Candelario Garcia moved that the chief clerk be instructed to transmit to the House—

An act establishing the per diem of the members of the present legislative assembly.

The motion was adopted.

Hon. Wm. L. Rynerson moved the passage of, an act, creating and organizing the county of Colfax.

Hon. Celso Baca moved that the act together with the reports upon the same be referred to the standing committee on the Judiciary.

The President decided the motion in order.

Hon. Candelario Garcia appealed from the decision of the chair.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Yeas 5—noes 6.

Those who voted in the affirmative were Honorables Celso Baca, Anastacio Sandoval, Juan Salazar y Jimenes, Juan B. Valdez, and the President.

Those who voted in the negative were Honorables Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Felipe Sanchez, Felipe Sandoval.

The decision was not sustained.

Mr. Garcia moved the passage of the act.

The president decided that the motion was not in order.

Hon Candelario Garcia appealed from the decision of the president.

The ayes and noes were called for.

The question was put, the roll was called and the result was as follows:—

Yeas 4—nays 6.

Those who voted in the affirmative were the Hons. Celso Baca, Anastacio Sandoval, Juan Salazar y Jimenes, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Candelario Garcia, Jesus M. Pacheco, Andres Romero, Wm. L. Rynerson, Felipe Sandoval, and Felipe Sanchez.

The decision of the President was not sustained.

The President announced in order the passage of the act

The question was put the roll was called and the result was as follows:

Yeas 6—nays 4.

Those who voted in the negative were Honorables Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Felipe Sandoval and Felipe Sanchez.

Those who voted in the negative were Honorables Anastacio Sandoval, Juan Salazar y Jimenes Juan Benito Mr. President.

Therefore the act passed.

Hon. Felipe Sandoval submitted the following report:

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act relative to the appointment of Territorial officers, and providing for the performance of the duties of Territorial officers in case of vacancy.

An act repealing section 4 of an act approved January 31, 1866.

A joint resolution relative to Gen. Heath, Secretary of the Territory.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Rynerson moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess:

The time having expired the Council was called to order by the President.

The President announced having signed the foregoing.

On motion of Hon. Andres Romero the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

A message from the House was announced and received.

The rules being suspended

Hon. Celso Baca introduced—

A memorial relative to the claims of Albino Ortega and Juan Lucero from San Miguel county.

Was read the first time.

On motion of Hon. Candelario Garcia the rules being suspended the memorial

Was read the second time.

On motion of Mr. Rynerson the rules were suspended and the memorial

Was read the third time and passed.

The order of the day continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A committee from the House was announced and received, and requested the signature of the President to the following:

An act relative to fences.

An act creating and organizing an additional precinct in the county of Rio Arriba.

A memorial to the Congress of the United States asking an increase of representation and another associate judge.

An act organizing the county of Colfax.

The Speaker announced having signed the aforesaid acts.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

—An act providing for the election of clerks of the probate court.

Mr. Sandoval made the following report:

Mr. President:—

The standing committee on Counties to which was referred—

An act to regulate the rates of toll on the bridge over the Rio Puerco.

Has had the same under its careful consideration, and return the act with the recommendation that the accompanying amendments be adopted.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion of Mr. Rynerson the report of the committee was adopted.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 a. m.

The motion was adopted.

Therefore the Council adjourned until to-morrow at 10 o'clock a. m.

TUESDAY, JANUARY 26, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Rio Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco

co of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Felipe Sandoval of San Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

On motion of Hon. Celso Baca, Hon. Anastacio Sandoval was excused from attending on to-day's session.

The order of the day was called.

Petitions and memorials.

None.

Reports of standing committees were announced in order.

Hon. Celso Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

An act prescribing the fees of sheriffs when in pursuit of persons charged with any crime, and for other purposes.

Your committee has had the same under its most serious consideration, and considering it just and necessary very respectfully recommends its passage.

CELSO BACA,

Chairman of the committee.

On motion of Andres Romero the report of the committee was adopted.

On motion of Hon. Celso Baca the rules were suspended and the act

Was read the third time.

On motion of Hon. Candelario Garcia the act was referred to a special committee of three members.

The committee appointed by the President was composed of the following members :

Hons. Candelario Garcia, Celso Baca and Andres Romero.

Hon. Andres Romero made the following report :

Mr. President :

The standing committee on Education to which was referred—

An authorizing the justices of the peace to receive impound and provide for the safe keeping of animals, and for other purposes.

Your committee has had the same under its most serious consideration, and considering it just and necessary very respectfully recommends its passage.

ANDRES ROMERO,

Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time.

Hon. Andres Romero moved the passage of the act.

The Vice President in the chair.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

Hon. Candelario Garcia moved that the House take recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

The rules being suspended

Hon. Severo Baca offered the following amendment to the act relative to the safe keeping of animals.

Amendment, the justices of the peace of the different precincts of this Territory be and are hereby authorized to receive animals that shall be found doing damage in any cultivated lands whatsoever in this Territory and if the owner or owners of the animals so impounded *encerrados* are known the person damaged shall immediately give notice, and the justice shall order the owner or owners, to pay the person damaged, for his journey in bringing the animals, and if the owner or owners of animals brought up for damages are not known, the justice of the peace shall make disposition, hereinafter provided.

On motion of the Hon. Wm. L. Ronerson, the amendment was adopted.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the third time and passed.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act prohibiting the carrying of deadly weapons either concealed or otherwise.

Originated in the House of Representatives.

Was read the first time.

A committee from the House was announced and received, and requested the signature of the President to the following :

An act providing for the pay of United States jurors in the district court.

An act declaring the adoption of Maria Romana Sais.

An act concerning persons occupying lands on private grants and for adjudicating such cases in court.

The Speaker announced having signed the aforesaid acts.

On motion of Mr. Rynerson the rules were suspended and the act

Concerning the carrying of deadly weapons.

Was read the second time.

Candelario Garcia offered the following amendment :

Provided that the Secretary of the Territory is required, after the passage of this act, to transmit a copy to each of the several judges of probate of the different counties of this Territory.

The amendment was adopted.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

An act amending an act entitled Militia.

A message from the House was announced and received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

The rules being suspended

Hon. Candelario Garcia made the following report :

Mr. President :—

The standing committee on Roads and Acequias to which was referred—

An act relative to the purchasers of grain.

Has had the same under consideration and returns it to this honorable body and recommends the adoption of the accompanying substitute.

CANDELARIO GARCIA,
Chairman of the committee.

Mr. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The substitute was read the first time.

On motion of the Hon. Celso Baca the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following ¹/₂ members answered to their names :

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

A message from his Excellency the governor was announced and received.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

A special act for precinct No. 5 county of Mora,

Originated in the House of Representatives.

Was read the first time.

Hon. Sandoval moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

Mr. Romero offered an amendment to the act :

That where it reads "the fines shall go into the county treasury," make it read "shall go towards the construction of the fence in the part belonging to the person fined.

The amendment was adopted.

On motion of Mr. Sanchez the rules were suspended and the act

Was read the third time.

On motion the act thus amended passed.

A memorial relative to titles to grants, donations, etc.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Candelario Garcia the rules being suspended the memorial

Was read the second time.

On motion of Mr. Garcia the act was referred to the standing committee on Public Printing.

An act creating an additional precinct in the the county of Mora.

Originated in the House of Representatives.

Was read the first time.

On motion of Felipe Sanchez the rules were suspended and the act

Was read the second time.

Hon. Anastacio Sandoval, offered the following amendment:

That where it reads "shall be paid out of the Legislative Fund" read "from the fund of the county of Mora."

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

A committee from the House was announced and received and reported that the House had concurred in the passage of—

An act to redeem certain warrants drawn by Epifanio Vigil.

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE,

SANTA FE, January 25, 1866.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to notify you and through you the Legislative Council that I have this day approved—

An act repealing section 4 of an act approved January 31, 1866.

Your obed't servant,

ROB. B. MITCHELL.

Governor of New Mexico.

On motion of Hon. W. L. Rynerson the report was adopted.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Felipe Sandoval submitted the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

A memorial relative to Railroads.

An act amending an act entitled "militia."

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,

Chairman of the committee.

The President announced having signed the foregoing. A message from his Excellency the governor was announced and received.

Mr. Sandoval made the following report :

Mr. President :—

The standing committee on Counties to which was referred—

An act declaring a public road through the town of San Antonio, and the settlements of Agua Negra, in the county of Mora.

Has had the same under its careful consideration, and return the act with the recommendation that the accompanying amendments be adopted.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion of Mr. Rynerson the report of the committee was adopted.

A message from the House was announced and received.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Bills in their second reading were announced in order by the President.

The President in the chair.

Honorable Celso Baca moved that the Council adjourn until to-morrow at 10 a. m.

The motion was adopted.

Therefore the Council adjourned until to-morrow at 10 o'clock a. m.



WEDNESDAY, JANUARY 27, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Rio Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Ryerson of Doña Ana, Felipe Sandoval of San Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

A message from his excellency the governor was announced and received.

Hon. Candelario Garcia made the following report :

Mr. President :

The special committee to which was referred—

An act prescribing the fees of sheriffs when in pursuit of persons charged with any crime, and for other purposes.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

CANDELARIO GARCIA,
Chairman of the Committee.

On motion of Andres Romero the report of the committee was adopted.

On motion of Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,
SANTA FE, N. M., Jan. 27, 1869.

Hon. Severo Baca, President of the Council :

Sir—I have the honor herewith to nominate the names of the following gentlemen, to the Hon. Council ; under the laws for the Territorial Militia :

Adjutant General George W. Cook, Brig. Gen'l of the 1st Brigade Charles E. Wesche, in place of Benjamin C. Cutler, deceased.

Very respectfully ask the concurrence of the Council.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of the Hon. Anastacio Sandoval the communications were received.

A committee from the House was announced and received and through its chairman reported that the House had concurred in the passage of—

An act declaring the water known as Agua Dulce in Mora county to be public property.

An act creating and organizing two additional precincts in the county of Taos.

Mr. Rynerson moved to refer the communication of the Governor to the committee on judiciary.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 6—nays 6.

Those who voted in the affirmative were Honorables Celso Baca, Wm. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenes, Juan B. Valdez, and the President.

Those who voted in the negative were Honorables Diego Archuleta, Felipe Sandoval, Jesus Maria Pacheco, Candelario Garcia, Andres Romero and Felipe Sanchez.

Therefore the communication was not referred.

Hon. Candelario Garcia moved, that the Council proceeded to take action upon the nominations mentioned in the communication from his Excellency.

Hon. Celso Baca moved, that the rules be suspended to introduce a resolution.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Yeas 7—noes 5.

Those who voted in the affirmative were Honorables Celso Baca, Anastacio Sandoval, Juan Salazar y Jimenes, Juan B. Valdez, Felipe Sandoval, Wm. L. Ryner-son and the President.

Those who voted in the negative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Andres Romero and Felipe Sanchez.

Therefore the rules were not suspended.

Hon. Anastacio Sandoval moved, that a committee of three members be appointed to visit his Excellency the Governor, and confer with him in reference to the nominations.

A joint resolution providing for the publication of the treatise of Pedro Murillo y Velarde on wills and testaments with the laws of this session.

Originated in this body.

The House concurred in its passage with an amendment.

On motiod the amendment was adopted.

A message from the House was announced and received.

On motion of Hon. Candelario Garcia the Council adjourned until to-morrow at 10 a. m.

THURSDAY, JANUARY 28, 1869.

The Council met pursuant to adjournment.

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Ryerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

A message from the House was announced and received.

Business on the President's table.

A communication from the House was read which was as follows :

HOUSE OF REPRESENTATIVES,

Santa Fe, January 27, 1869.

Hon. Severo Baca President of the Legislative council.

Sir—I am instructed by this Hon. body, the House of Representatives, to report to the Hon. body over which you have the honor to preside: that, an act abolishing the precincts Nos. 1 and 13 of Doña Ana county; has this day been reconsidered by this Hon. body and again passed, by a vote of more than two-thirds thereof, notwithstanding the objections of the Governor to the same; the which act together with the Governor's objections, I have the honor to transmit to your Hon. body herewith for its consideration, and reconsideration in conformity with the amendment to the organic law.

Very respectfully,

FRANCISCO SALAZAR,

Chief Clerk.

On motion of Mr. Rynerson the communication was received.

Accordingly the the council proceeded to reconsider the vote on the passage of the act.

The ayes and noes were called for on the passage of the act.

The question was put the roll was called and the result was as follows :

Yeas 10—nays 1.

Those who voted in the negative were Honorables Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Felipe Sandoval, Celso Baca, Anastacio Sandoval, Juan Salazar y Jimenes Juan Benito Valdez and Mr. President.

Those who voted in the negative were—Honorable Felipe Sanchez.

Therefore the act passed.

The President declared the act a law notwithstanding the objections of His Excellency the Governor.

The rules being suspended,

Hon. Candelario Garcia introduced—

An act relative to sheriffs and deputy sheriffs.

Was read the first time.

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

Hon. Severo Baca offered the following amendment :

This act shall be equally applicable to the clerks of the probate courts, with the same obligations and responsibilities.

The amendment was adopted.

On motion of Hon. Severo Baca the rules were suspended and the act

Was read the third time.

On motion the act passed.

The rules being suspended,

Hon. Severo Baca introduced—

A memorial asking the establishment of a mail route from Las Vegas to Mora.

Was read the first time.

On motion of Mr. Sandoval the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Diego Archuleta the rules were suspended and the memorial

Was read the third time and passed.

Hon. Juan B. Valdez moved to suspend the rules to take action on the business on the President's table.

Agreed to.

Business on the President's table.

An act to supply the members of the present session with a copy of the journals and laws of this session.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Rynerson the rules were suspended and the act

Was read the second time.

On motion of Wm. L. Rynerson the rules were suspended and the act

Was read the third time.

On motion the act passed.

A message from the House was announced and received.

An act to declare the right to the woods, timber etc., on the grant "Llano de Santa Barbara" in the county of Taos.

Originated in the House of Representatives.

Was read the first time.

On motion of Celso Baca the [rules] were suspended and the act

Was read the second time.

On motion of Hon. Candelario Garcia the act was referred to a special committee of three members.

The committee appointed by the President was composed of the following members :

Messrs. Garcia, Sandoval and Valdez.

A message from the House was announced and received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of Celso Baca the Council went into secret session.

Celso Baca in the chair.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,
SANTA FE, N. M., Jan. 16, 1869.

Hon. Severo Baca, President of the Council :

Sir—I have the honor herewith to nominate to the Honorable Council Antonio Sena for the position of Auditor of Public Accounts for the Territory of New Mexico for the term of two years from February 1st 1869 and very respectfully ask the concurrence of the Council.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of the Hon. Anastacio Sandoval the communications were received.

Hon. Candelario Garcia moved, that the name of Antonio Sena is not confirmed as Intendente de Cuentas Publicas.

The motion was adopted.

On motion of Hon. Wm. L. Rynerson, the Chief Clerk was instructed to send a communication to his Excellency: notifying him that Antonio Sena has not been confirmed by this body.

On motion of Hon. Wm. L. Rynerson the Chief clerk was instructed to transmit to the House, the acts that have been passed by this body, over the veto of the Governor.

On motion of Hon. Anastacio Sandoval, the secret session of the council was dissolved.

The president in the chair.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Felipe Sandoval made the following report:

Mr. President:—

The standing committee on Enrolled Bills has this day handed the Governor the following:

An act amending an act entitled Militia.

A memorial relative to Railroads.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

A message from his Excellency the governor was announced and received.

Hon. Felipe Sandoval submitted the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act to redeem certain warrants drawn by Epifanio Vigil.

An act declaring the water known as Agua Dulce in Mora county to be public property.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

The President announced having signed the foregoing.

On motion of Hon. Andres Romero the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña

Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

A message from his Excellency the governor was announced and received,

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act establishing the time of holding elections for mayordomos of acequias.

Originated in the House of Representatives.

Was read the first time.

On motion of Candelario Garcia the act was rejected.

A message from the House was announced and received.

A joint resolution providing for the publication of the

treatise of Pedro Murillo y Velarde on wills and testaments with the laws of this session.

Originated in this body.

The House concurred in its passage with an amendment.

On motion the amendment was adopted.

An act, increasing the per diem of the officers of the present legislative assembly.

Originated in the House.

Was read the first time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the second time.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE,

SANTA FE, January 28, 1866.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to notify you and through you the Legislative Council that I have this day approved—

An act amending an act entitled “militia.”

Your obed't servant,

ROB. B. MITCHELL.

Governor of New Mexico.

On motion of Mr. Romero the communication was received.

The following communication from His Excellency the Governor was read as follows :

Executive Office, Santa Fe, January 28, 1869.

Hon. Severo Baca, President of the Council :

Sir—I have the honor to inform you that I have disapproved—

An act relative to the appointment of Territorial officers, and providing for the performance of the duties of Territorial officers in case of vacancy.

The provisions of this bill directly attempt the repeal of the second clause of section eight of the organic act passed by congress for the government of this Territory. If the Legislature proposes to take away from congress the power of legislating for the Territory of New Mexico, and can be sustained in taking away that power, then the provisions of this bill would be tenable ; otherwise your honorable bodies cannot have any power to interfere with the appointing power of the Executive coming within the express provisions of the organic act.

I have the honor to be, your obdt servant,

ROBERT B. MITCHELL,

Governor of New Mexico.

On motion of Hon. Wm. L. Rynerson the communication was received.

Accordingly the the council proceeded to reconsider the vote on the passage of the act.

The ayes and noes were called for on the passage of the act.

The question was put the roll was called and the result was as follows :

Yeas 2—nays 9.

Those who voted in the affirmative were Honorables Celso Baca, and Felipe Sanchez.

Those who voted in the negative were—Honorable Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Felipe Sandoval Anastacio Sandoval, Juan Salazar y Jimenes and Mr. President.

In consequence the President announced the Governor's veto was sustained.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

An act prohibiting the carrying of deadly weapons either concealed or otherwise.

The Speaker announced having signed the aforesaid act.

On motion of Hon. Wm. L. Rynerson the Council went into secret session.

Hon. Wm. L. Rynerson in the chair.

Hon. Anastacio Sandoval moved, that Geo. W. Cook submitted yesterday in the communication of his Excellency, for adjutant general be confirmed.

The motion was adopted, and Geo. W. Cook confirmed adjutant general.

On motion of Hon. Celso Baca, the chief clerk was instructed not to notify his Excellency of said appointment until to-morrow afternoon.

Hon Celso Baca moved, that Charles E. Wesche, recommended yesterday for Brig. Gen'l of the 1st Brigade 2nd Division, be confirmed.

The motion was adopted, and Chas. E. Wesche was confirmed by this body to said appointment.

On motion of Hon. Celso Baca the chief clerk was instructed not to send any communication in regard to this appointment until to-morrow afternoon.

On motion of Hon. Sandoval, the secret session was dissolved.

Hon. Candelario Garcia moved that the rules be suspended to take action on—

An act to regulate the rates of toll on the bridge over the Rio Puerco.

Was read the third time.

On motion the act passed.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

Honorable Celso Baca moved that the Council adjourn until to-morrow at 10 a. m.

The motion was adopted.

Therefore the Council adjourned until to-morrow at 10 o'clock a. m.



FRIDAY, JANUARY 29, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Rio Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco

co of Taos, Andres Romero of Bernalillo; Wm. L. Ryerson of Doña Ana, Felipe Sandoval of San Ana, Felipe Sanchez of Mōra, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the disatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

A message from his excellency the governor was announced and received.

Mr. Jesus Ma. Pacheco made the following report :

Mr. President :—

The standing committee on Vice and Immorality to which was referred—

An act relative to the Territorial Library

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

JESUS MARIA PACHECO,
Chairman of the committee.

On motion of Andres Romero the report of the committee was adopted.

Reports were announced in order by the President.

None.

Introduction of bills and resolutions, was announced in order.

None.

Bills in their second reading were announced in order by the President.

An act to amend section 32 of an act entitled an act to prohibit the introduction of animals within certain limits, approved February 2, 1860.

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time and passed.

An act relative to the purchasers of grain.

Was read the second time.

On motion of Hon. Archuleta the act was referred to the standing committee on Finance.

A message from the House was announced and received.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

A memorial relative to titles to grants, donations, etc.

A memorial asking for a mail route from from the town of Las Vegas to Mora.

A memorial relative to the claims of Albino Ortega and Juan Lucero from San Miguel county.

On motion of Hon. Candelario Garcia the Council went into secret session.

* * * * *

Hon. Celso Baca moved that all the papers in English be delivered to the interpreter for translation.

The motion was adopted.

The President in the chair.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

A joint resolutions providing for the treatise of Pedro Murillo.

Your committee has find it correctty-enrolled.

FELIPE SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted.

The President announced his having signed said act.

A communication from the Governor was read and is as follows :

EXECUTIVE OFFICE,

Santa Fe, N. M., January 29, 1869.

Hon. Severo Baca President of the Legislative council.

Sir—I have the honor to inform you, and through you the honorable Council, that I have this day approved the following acts :

An act creating and organizing two additional precincts in the county of Taos.

An act declaring free the water of the Agua Dulce in the county of Mora.

A memorial to Congress, asking an additional tubsidy to the Railroad and for other purposes.

Very respectfully your obedient servant,

ROBT. B. MITCHELL,
Governor of New Mexico.

On motion of Mr. Anastacio Sandoval the communication was received.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

An act providing for the election of probate clerks and county treasurers.

Originated in this body.

The House concurred in its passage with an amendment:

The amendment was adopted and so the act passed.

On motion of the Hon. Celso Baca the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Bynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

An act repealing an act approved January 30, 1867.

Was read the third time and passed.

A special act for precinct number four of Taos county.

Was read the third time.

An act providing for the custody of the Territorial Library.

Was read the third time.

On motion of Hon. Candelario Garcia the act was rejected.

The rules being suspended

The Hon. Andres Romero introduced—

An act relative to precinct 2, county of Bernalillo.

Was read the first time.

Hon. Romero moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

A communication from the House was read which was as follows:

HOUSE OF REPRESENTATIVES,

Santa Fe, January 27, 1869.

Hon. Severo Baca President of the Council.

Sir—I have the honor to report to you and through you to the council, that this body has reconsidered—

A special act relative to the Socorro county Grant.

Which they find to be in your body as it originated there; and I am instructed to ask of your body the same for its action and consideration.

Very respectfully,

FRANCISCO SALAZAR,

Chief Clerk.

On motion of Mr. Rynerson the communication was received.

On of Hon. Candelario Garcia the chief clerk was instructed to send the act mentioned with a communication.

On motion of Mr. Sandoval

An act relative to precinct number two of the county of Bernalillo.

Was referred to the standing committee on territorial affairs.

The order of the day continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

Mr. Sandoval made the following report :

Mr. President :—

The standing committee on Counties to which was referred—

An act (substitute) relative to purchasers of grain.

Your committee has had the same under its most serious consideration, and considering it useless and unnecessary very respectfully recommends its passage.

ANASTACIO SANDOVAL,
Chairman of the committee.

The Hon. A. Sandoval moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

Hon. Juan Benito Valdez moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelaio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

Hon. Celso Baca made the following report :

Mr. President—

The standing committee on the Judiciary to which was referred—

An act to indemnify Jose D. Sena, sheriff of Santa Fé county, for certain public services.

Has had the same under consideration and returns it to this honorable body and recommends the adoption of the accompanying substitute.

CELSO BACA,
Chairman of the committee.

On motion of Hon. Candelario Garcia the report of the committee was adopted.

The substitute was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the act

Was read the second time.

A message from his Excellency the governor was announced and received.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. Felipe Sandoval made the following report :

Mr. President :—

The standing committee on Enrolled Bills has this day handed the Governor the following :

An act declaring the water known as Agua Dulce in Mora county to be public property.

An act creating and organizing two additional precincts in the county of Taos.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

On motion of Hon. Jesus M. Pacheco the Council adjourned until to-morrow at 10 a. m.

SATURDAY, JANUARY 30, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Rio Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Felipe Sandoval of San Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

A message from his excellency the governor was announced and received.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Celso Baca introduced—

An act amending an act creating and organizing the country of Colfax.

Was read the first time.

Hon. Candelario Garcia moved to reject the act.

The motion was not adopted.

A message from the House was announced and received.

The rules being suspended.

Hon. Candelario Garcia made the following report :

Mr, President :—

The standing committee on Roads and Acequias to which was referred—

An act relative to precinct 2, county of Bernalillo.

Has the honor to report that it has had the same under consideration and respectfully recommends the passage without amendment of the accompanying substitute.

CANDELARIO GARCIA,
Chairman of the committee.

The Hon. A. Romero moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The substitute was read the first time.

On motion of Mr. Romero the rules were suspended and the act

Was read the second time.

A committee from the House was announced and received and through its chairman requested the signature of the President of the Council to the following:

An act to supply the members of the present session with a copy of the journals and laws of this session.

An act creating an additional precinct in the county of Mora.

An act declaring a public road through the town of San Antonio, and the settlements of Agua Negra, in the county of Mora.

An act prescribing the fees of sheriffs when in pursuit of persons charged with any crime, and for other purposes.

A special act for precinct No. 5 county of Mora.

An act establishing the per diem of the members of the present legislative assembly.

The Speaker announced having signed the aforesaid acts.

An authorizing the justices of the peace to receive impound and provide for the safe keeping of animals, and for other purposes.

Was returned without the signature of the President because it was not in accordance with the amendments made by this body.

An act relative to precinct number two of the county of Bernalillo

Mr. Romero moved to reject the act.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows:

Yeas 3—8 noes.

Those who voted in the affirmative were Honorable Celso Baca, Jesus Maria Pacheco and Andres Romero

Those who voted in the negative were Honorables Diego Archuleta, Candelario Garcia, Wm. L. Rynerson, Anastácio Sandoval, Felipe Sanchez, Juan Salazar y Jimenes, Juan Benito Valdez, and the President.

Consequently the act was not rejected.

On motion of the Hon. Celso Baca the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

The rules being suspended,

Hon. Juan Salazar y Jimenes introduced—

An act for the relief of Placido Romero sheriff of Valencia county.

Was read the first time.

On motion of Wm. L. Rynerson the rules were suspended and the act

Was read the second time.

On motion of Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

The rules being suspended,

Hon. Candelario Garcia made the following report:

Mr. President:

The special committee to which was referred—

An act to declare the right to the woods, timber etc., on the grant "Llano de Santa Barbara" in the county of Taos.

Has had the same under consideration and returns it to this honorable body and recommends its passage without amendment.

CANDELARIO GARCIA,
Chairman of the Committee,

On motion of Mr. Rynerson the report of the committee was adopted.

Hon. Rynerson moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

Hon. Celso Baca submitted the following report:

Mr. President:—

The special committee to which was referred—

An act for the relief of John and Michael McGee.

Has had the same under its most serious consideration, and asks permission to refer this body to the laws which speak upon the question: in 1866 and 7 a sum of one thousand five hundred dollars was appropriated to construct the monument; in 1867 and 8 a sum of one thousand and eight hundred dollars was appropriated from the Territorial Treasury for the purpose of concluding the said monument; and a committee was appointed, instructed and subjected to make the contract for the sum already indicated of \$1,800.

The contract was made by the committee, that the monument should be finished for the sum referred, in such a manner, that the opinion of the committee to which this act is referred, is for the reasons manifested, entirely in opposition to the conceding a single cent as relief, and is very respectfully submitted for its right.

CELSO BACA,

Chairman of the committee.

Hon. Celso Baca moved that the report be adopted.

The ayes and noes were demanded.

The question was put, the roll called and the result was as follows:

Ayes 6—noes 6.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, W. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenes, and the President.

In the negative voted Honorables Diego Archuleta, Jesus Maria Pacheco, Felipe Sandoval, Felipe Sanchez, Andres Romero, and J. B. Valdez.

Therefore the report was not adopted.

Hon. Anastacio Sandoval moved to refer the act to the standing committee on Education..

The motion was not adopted.

Mr. Pacheco moved to refer the act to a special committee of three members.

The motion was not adopted.

The rules being suspended,

Hon. Candelario Garcia introduced—

An act to declare the rights to the woods, wood and pastures, of the grant of La Joya, of 1817, in the county of Socorro.

Was read the first time.

On motion of Hon. Candelario Garcia the rules were suspended and the act

Was read the second time.

Mr. Rynerson offered the following amendment;

After the word "limits" in the first section, "shall be placed as declared in the grant itself, to wit:

The amendment was adopted.

On motion of Mr. Romero the rules were suspended and the act

Was read the third time and passed.

A message from his Excellency the governor was announced and received.

The order of the day continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Felipe Sandoval submitted the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act providing for the election of probate clerks and county treasurers.

A memorial asking the establishment of a mail route from Las Vegas to Mora.

A memorial relative to the claims of Albino Ortega and Juan Lucero from San Miguel county.

A memorial relative to grants.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

The President announced having signed the foregoing.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act to redeem certain warrants drawn by Epifanio Vigil.

A joint resolution providing for the publication of the

treatise of Pedro Murillo y Velarde on wills and testaments with the laws of this session.

An act providing for the election of clerks of the probate court.

A memorial asking for the establishment of a military post on Gila river.

A memorial relative to titles to grants, donations, etc.

A memorial asking for a mail route from the town of Las Vegas to Mora.

An act amending the tax law.

Has handed the same to the Governor for his approval.

FELIPE SANDOVAL,

Chairman of the committee.

On motion, the report of the committee was adopted.

The order of the day was continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports were announced in order by the President.

None.

Introduction of bills and joint resolutions was announced in order by the President.

The Hon. Anastacio Sandoval introduced—

An act providing for the service of process by means of publication in certain civil cases.

Was read the first time.

Hon. Romero moved to suspend the rules and read the act the second time.

The motion was adopted.

The act was read the second time.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the third time and passed.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows :

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelaio Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

A message from the House was announced and received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

Hon. J. M. Pacheco was excused from attending the session of to day.

A communication from the Hon. Secretary of the Territory was read and is as follows :

SECRETARY'S OFFICE,

SANTA FE January 30, 1869.

Hon. Severu Baca President of the Council.

Sir—I have the honor to receive some days past,

through a committee of both Houses of the Legislative Assembly, over one of which you preside, a copy of a preamble and resolutions passed by both bodies composing the Legislative Assembly of New Mexico; complimentary to myself and expressing in earnest language their sentiments towards me, as a man and public officer by the members thereof.

I should by lacking in my duty both to you and to my sense of gratitude, did I not, before you adjourn your Hon. Body, tender my earnest thanks to each and every member thereof for the expressions contained in that preamble and in those resolutions; more cherished by me since they passed both branches of the Legislature unanimously.

They are the evidence also, that the people of New Mexico appreciate a public officer who performs his duty under the law, faithfully, irrespective of parties or of men.

Coming into New Mexico as a citizen to live with her people, as a permanent resident—not to leave them after a brief official career, I shall cherish this manifestation of the people's representatives hereafter, with the most profound remembrances of gratitude, as I deem them now, and the grateful emotions which they have engendered in my bosom will long outlive the envy and animosities which too much prevail at the present day.

Trusting that you, and each member of the legislative body over which you have presided with so much dignity, urbanity, and justice during the session now drawing to a close; may long live in the enjoyment of of happiness and prosperity.

I remain with much gratitude, your fellow-citizen,

H. H. HEATH.

On motion of Mr. Rynerson the communication was received.

On motion of Hon. Jesus Maria Pacheco the Council adjourned until Monday at 10 a. m.

MONDAY, FEBRUARY 1, 1869.

The Council met pursuant to adjournment.

The roll was called, and the following members answered to their names :—

Celso Baca of San Miguel county, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

A quorum being present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorial were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Reports were announced in order.

None.

Hon. Juan Benito Valdez moved that the rules be suspended to take action on—

A special act for precinct number four of Taos county.

The motion was adopted.

Was read the third time.

On motion the act passed.

The rules being suspended

Hon. Celso Baca introduced the following resolution:

Resolved, by the Legislative Council of the Territory of New Mexico, assembled in session.

Whereas, Hon. Anastacio Sandoval has been appointed by his Excellency the Governor, and confirmed by the Council, as Auditor of Public accounts of the Territory of New Mexico.

Therefore the Hon. Secretary of the Territory is requested to give his commission to the Hon. Anastacio Sandoval and require of him his bond and oath, that he may enter upon the discharge of his duties immediately.

On motion of Hon. Celso Baca, the resolution was unanimously adopted.

Hon. Romero introduced—

A joint resolution relative to the depredations committed by the Indians in Cubero, county of Valencia.

Was read the first time.

On motion of Hon. Andres Romero the rules were suspended and the resolution

Was read the second time.

Hon. Celso Baca offered an amendment to the resolution.

The amendment was not adopted.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

A message from the House was announced and received.

Hon. Wm. L. Rynerson offered an amendment to the resolution.

The amendment was adopted.

On motion of Hon. W. L. Rynerson, the rules were suspended and the resolution

Was read the third time and passed.

Hon. Wm. L. Rynerson introduced—

A memorial relative to the removal of Hon. J. Houghton, and the appointment of Mr. John D. Bail.

Was read the first time.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

An act relieving John Martin from the payment of certain taxes at the Aleman in the county of Socorro.

An act for precinct number 18 of Alamosa in San Miguel county.

Hon. Candelario Garcia moved to refer the resolution to the standing committee on the Judiciary.

A message from the House was announced and received.

The President in the chair.

The ayes and noes were demanded.

The question was put the roll was called and the result was as follows :

Yeas 7—nays 5.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sanchez and Juan Benito Valdez,.

Those who voted in the negative were Honorables Celso Baca, Andres Romero, Felipe Sandoval, Juan Salazar y Jimenes and Mr. President.

Therefore the memorial was referred.

A committee from the House was announced and received and reported that the House had concurred in the passage of—

An act creating and organizing two additional precincts in the county of Socorro.

A communication from the Hon. Secretary of the Territory was read and is as follows :

SECRETARY'S OFFICE,

SANTA FE January 30, 1869.

Hon. Severo Baca President of the Council.

I have the honor to inform you, in answer to a resolution of Council of to-day, that a commission was sent from the office on 30th ultimo, for Anastacio Sandoval, Auditor of public accounts, but that up to this date no bond has been filled. I herewith transmit a blank bond, that Hon. Sandoval Sandoval may execute it.

H. H. HEATH.

Secretary of the Territory.

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE,

SANTA FE, February 1, 1869.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to notify you and through you the Legislative Council that I have this day approved—

An act providing for the election of probate clerks and county treasurers.

A memorial asking the establishment of a mail route from Las Vegas to Mora.

A memorial relative to the claims of Albino Ortega and Juan Lucero from San Miguel county.

A memorial relative to grants.

Your obed't servant,

ROB. B. MITCHELL.

Governor of New Mexico.

On motion of Mr. Romero the communication was received.

A committee from the House was announced and received, and requested the signature of the President to the following :

An act to amend section 32 of an act entitled an act to prohibit the introduction of animals within certain limits, approved February 2, 1860.

An authorizing the justices of the peace to receive impound and provide for the safe keeping of animals, and for other purposes.

An act repealing an act approved January 30, 1867.

The Speaker announced having signed the aforesaid acts.

Mr. Salazar moved that the Council take recess 10 minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of the Hon. Celso Baca the Council took a recess until 3½, p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fe, Felipe Sandoval of Santa Ana, Felipe Sanchez of

Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

None.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

A message from the House was announced and received.

An act providing for the service of process by means of publication in certain civil cases.

Originated in this body.

Was rejected by the House of Representatives.

The rules being suspended,

Hon. Jesus Ma. Pacheco moved that the rules be suspended to take action on—

An act for the relief of John and Michael McGee,
The ayes and noes were demanded.

The question was put, the roll called and the result was as follows :

Ayes 7—noes 5.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez, and J. B. Valdez.

In the negative voted Honorables Celso Baca, Wm. L. Rynerson, Anastacio Sandoval, Juan Salazar y Jimenez and the President.

Therefore the rules were not suspended.

On motion of Hon. J. M. Pacheco action was taken upon the business on the President's table.

Business on the President's table.

An act entitled an act amending the registration law.

Originated in this body.

The House passed a substitute.

The substitute was read the first time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the second time.

On motion of Anastacio Sandoval the act was referred to a joint committee of conference.

The committee appointed by the President was composed of the following members :

Anastacio Sandoval, Candelario Garcia and Felipe Sanchez.

The committee retired to confer with [the House committee.

An act relative to the relief of Reducindo Chaves and Trinidad Lopez.

Originated in the House,

Was read the first time.

A message from the House was announced and received.

On motion of Wm. L. Rynerson the rules were suspended and the act

Was read the second time.

Hon. Andres Romero moved to refer the act to the standing committee on Territorial Affairs.

The motion was not adopted.

Hon. Andres Romero gave notice that he would move to reconsider his vote to-morrow, he having voted with the majority.

Celso Baca moved to lay the motion on the table indefinitely.

The motion was adopted.

Hon. Andres Romero appealed from the decision of the President.

The question was put and the President was sustained.

Hon. Celso Baca moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

On motion the act passed.

The order of the day continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

Hon. Celso Baca submitted the following report :

Mr. President :—

The standing committee on Judiciary to which was referred—

A memorial relative to the removal of Hon. J. Houghton, and the appointment of Mr. John D. Bail.

Has had the same under consideration, and beg leave to refer the same back to the Council for its consideration with the recommendation that the same be adopted with an amendment.

CELSO BACA,

Chairman of the committee.

Mr. Rynerson moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

On motion of Hon. Candelario Garcia the rules being suspended the memorial

Was read the third time and passed.

Hon. Felipe Sandoval submitted the following report:

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act for precinct number 18 of Alamosa in San Miguel county.

-- An act creating and organizing two additional precincts in the county of Socorro.

Has had the same under consideration and finds it correctly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,

Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

The President announced having signed the foregoing:

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act relative to the Socorro county grant.

Originated in this body.

The House concurred in its passage without amendment.

An act amending an act creating and organizing the county of Lincoln.

Originated in the House of Representatives.

Was read the first time.

On motion of Hon. Wm. L. Rynerson the act was laid upon the table indefinitely.

An act for precinct No. 8 county of Santa Fe.

Originated in the House of Representatives.

Was read the first time.

On motion of Mr. Sandoval the rules were suspended and the act

Was read the second time.

On motion of Celso Baca the act was referred to the standing committee on Counties.

An act to indemnify Jose D. Sena, sheriff of Santa Fe county, for certain public services.

Was read the third time.

The vice president in the chair.

Mr. Severo Baca offered the following amendment:

“Provided, That Jose Ortiz shall have a right to a relief in the sum of fifty dollars from the Territorial Treasury; to be drawn as provided for in the case of Jose D. Sena, the sheriff of the county of Santa Fe; provided further, that the Territory shall only be responsible for this sum.

On motion of Hon. W. L. Rynerson, the^d rules were suspended and the act as amended

Was read the third time and passed.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 a. m.

The motion was adopted.

Therefore the Council adjourned until to-morrow at 10 o'clock a. m.

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TUESDAY, FEBRUARY 2, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Río Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Felipe Sandoval of San Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

The order of the day was called.

Petitions and memorials.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

A message from his excellency the governor was announced and received.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

Hon. Felipe Sanchez introduced:

An act concerning the circulation of Territorial bonds.

Was read the first time.

On motion of Hon. Candelario Garcia a committee was appointed to visit the Governor and requested him to place Hon. Anastacio Sandoval in possession of his office as auditor of public accounts.

The committee retired to discharge its duties.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

The committee on its return reported that the Governor had complied with the wishes of the Council, and that Hon. Anastacio Sandoval would be in the discharge of his duties on the fifth day of the current month, in accordance with his commission.

A message from his Excellency the governor was announced and received.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act relieving John Martin from the payment of certain taxes at the Aleman in the county of Socorro.

An act relative to the grant of Socorro county.

An act for the relief of Placido Romero sheriff of Valencia county.

Has examined the same and finds them correctly enrolled, and returns them for the signature of the President.

FELIPE SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted. The Speaker announced having signed the above.

A communication from the Secretary of the Territory was read as follows :

SECRETARY'S OFFICE,
Santa Fé February 2, 1869.

Hon. Severo Baca President of Council.

Sir—I have the honor to transmit herewith, the fiscal return of the judge of probate of the county of Socorro, for the fiscal year of 1867 and 8.

I am informed by the judge, Vivian Baca, that the late date at which this report is transmitted, is not the result of any intentional negligence on the part of the said judge of probate, but an apparent misunderstanding of the provisions of the law; and I hope, that with this explanation, the report will be received.

I am, very respectfully your obed't serv't

H. H. HEATH,
Secretary of New Mexico.

On motion of Hon. Candelario García, the communication together with the report were received.

An act relative to the circulation of territorial warrants.

Was read the first time

On motion of Hon. Felipe Sandoval the rules were suspended and the act

Was read the second time.

On motion of Hon. Anastacio Sandoval the rules were suspended and the act

Was read the third time.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows:

Yeas 9—nays 3.

Those who voted in the affirmative were Honorables Diego Archuleta, Celso Baca, Candelario García, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan B. Valdez and Felipe Sanchez.

Those who voted in the negative were Honorables Jesus Maria Pacheco, Wm. L. Rynerson, and the President.

Therefore the act passed.

Mr. Sandoval made the following report:

Mr. President:

The special committee to which was referred—

An act amending the registry law.

Your committee has had the same under its most serious consideration, and considering it useful and necessary very respectfully recommends its passage.

ANASTACIO SANDOVAL,
Chairman of the committee.

On motion of Hon. Candelario García the report of the committee was adopted.

A message from the House was announced and received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

A communication of his Excellency the governor was read and is as follows :

EXECUTIVE OFFICE,

SANTA FE, N. M., Feb. 1, 1869.

Hon. Severo Baca, President of the Council :

Sir—I have the honor to return to you and through you, to the Legislative Assembly ; an act originated in the Council, providing for the payment of warrants drawn in favor of Epifanio Vigil Auditor of public accounts, Merrill Ashurst Attorney General, Samuel Duncan Distrist Attorney, J. M. H. Alarid Librarian and John T. Russell Adjutant General, without my approval.

The above mentioned officers were legally appointed, and qualified under existing laws, and were in effect officers of the Territorial government ; they have discharged their public duties, faithfully and honestly, as such officers and for their services, their pay is in Territorial warrants.

The contract between the Territory and the parties named has been concluded by both contracting parties, and cannot be interfered with by either the Legislative Assembly or by the courts.

The official acts of the officers are acknowledged, not only by the courts, but by the country ; and if their pay has been illegally drawn ; all their official acts are necessa-

rily null and of no effect. I am satisfied that no gentleman in the Legislative Assembly can or will wish to take this matter in this view, when properly presented before them. The result of the passage of this act will be, to cause great litigation, and finally to end in a great disadvantage to the Territory.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of the Hon. Anastacio Sandoval the communications were received.

Accordingly the the council proceeded to reconsider the vote on the passage of the act.

The ayes and noes were called for on the passage of the act.

The question was put, the roll called and the result was as follows :

Yeas 10—noes 2.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan B. Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta and Felipe Sanchez.

The President declared the act a law notwithstanding the objections of His Excellency the Governor.

On motion of Hon. Wm. L. Rynerson the chief clerk was instructed to transmit the act and the Governor's objections to the House, informing that body that the Council had passed the act over the veto.

Hon. Jesus M. Pacheco moved to suspend the rules to take action on the bill relative to the Messrs. M'Gee.

The ayes and noes were demanded.

The question was put the roll was called and the result was as follows :

Yeas 9—nays 3.

Those who voted in the affirmative were Honorables Diego Archuleta, Candelario Garcia, Jesus Maria Pacheco, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sanchez, Juan Benito Valdez, Andres Romero, and Felipe Sandoval.

Those who voted in the negative were Honorables Celso Baca, Juan Salazar y Jimenes and Mr. President.

Therefore the rules were suspended.

Hon. W. L. Rynerson moved to erase the preamble.

The ayes and noes were demanded on the question.

The question was put, the roll was called and the result as follows :

Yeas 8—4 noes.

Those who voted in the affirmative were Honorables Diego Archuleta, Jesus Maria Pacheco, Andres Romero. Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval Felipe Sanchez and Juan Benito Valdez.

Those who voted in the negative were Honorables Celso Baca, Candelario Garcia, Juan Salazar y Jimenes and the President.

Accordingly, the motion was adopted, and the preamble erased.

Hon. Celso Baca moved that the act be rejected.

The question was put, the roll was called and the result was as follows :—

Yeas 4—nays 8.

Those who voted in the affirmative were the Hons. Celso Baca, Wm. L. Rynerson, Juan Salazar y Jimenes, and the President.

Those who voted in the negative were Honorables

Diego Archuleta, Candelario Garcia, Jesus M. Pacheco, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and Juan Benito Valdez.

Therefore the act was not rejected.

Hon. Celso Baca moved to refer the act to the standing committee on counties.

The motion was not adopted.

Mr. offered the following amendment:

That instead of four thousand dollars, read one thousand dollars.

The amendment was not adopted.

Hon. Candelario Garcia offered the following amendment:

That instead of \$4,000 00 to read \$2,500 00.

On motion the amendment was adopted.

A message from his Excellency the governor was announced and received.

Hon. Diego Archuleta called for the passage of the act as amended.

The question was put, the roll was called and the result was as follows:

Yeas 9—nays 3.

Those who voted in the affirmative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and Juan Benito Valdez.

In the negative voted Honorables Wm. L. Rynerson, Juan Salazar y Jimenes and the President.

Therefore the act passed.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 o'clock a. m.

The question was put, the roll was called and the result as follows:

Yeas 4—nays 8.

Those who voted in the affirmative were Honorables Wm. L. Rynerson, Anastacio Sandoval, Juan Benito Valdez and the President.

Those who voted in the negative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Felipe Sandoval, Felipe Sanchez and Juan Salazar y Jimenes.

Therefore the Council did not adjourn.

A message from the House was announced and received.

Hon. Diego Archuleta moved to adjourn until to-morrow at 10½ a. m.

The motion was not adopted.

On motion of Hon. W. L. Rynerson the Council adjourned until 4 o'clock.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Celso Baca of San Miguel, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Romero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

A committee from the House was announced and received and reported that the House had concurred in the passage of—

A memorial relative to the removal of Hon. J. Houghton, and the appointment of Mr. John D. Bail.

An act amending the registry law.

Business on the President's table.

An act for the relief of Jesus Ma. Ortiz.

Originated in the House of Representatives.

Was read the first time.

An act providing for the construction of a new acequia in the precinct of Santa Barbara.

Originated in the House.

Was read the first time.

Hon. Wm. L. Rynerson moved that the Council adjourn until to-morrow at 10 a. m.

The motion was adopted.

Therefore the Council adjourned until to-morrow at 10 o'clock a. m.



WEDNESDAY, FEBRUARY 3, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names :

Diego Archuleta of Rio Arriba Celso Baca of San Miguel, Candelario Garcia of Socorro, Jesus Maria Pacheco of T. ex, Andres Romero of Bernalillo, Wm. L. Rynerson of Dña Ana, Felipe Sandoval of San Ana, Felipe

Sánchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos and Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

The journal of the previous day was read and approved.

A committee from the House was announced and received, and requested the signature of the President to the following :

An act to indemnify Jose D. Sena, sheriff of Santa Fé county, for certain public services.

An act relative to the relief of Reducindo Chaves and Trinidad Lopez.

A special act for precinct number four of Taos county.

The Speaker announced having signed the aforesaid acts.

An act concerning the circulation of Territorial bonds. Originated in this body.

Was rejected by the House of Representatives.

Hon. Wm. L. Rynerson Introduced—

A joint resolution to adjourn both houses at 3 o'clock, p. m. to-morrow.

Was read the first time.

A message from the House was announced and received.

On motion of Mr. Sandoval the rules were suspended and the resolution

Was read the second time.

Hon. Anastacio Sandoval offered the following amendment

That where it reads 3 p. m. it shall read 7 p. m.

The amendment was not adopted.

Mr. Garcia offered the following amendment:

That it read 1 o'clock p. m.

On motion the amendment was adopted.

On motion of Hon. Candelario Garcia the rules were suspended and the resolution

Was read the third time.

The ayes and noes were demanded on its passage.

The question was put, the roll called and the result was as follows :

Yeas 9—nays 3.

Those who voted in the affirmative were, Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan B. Valdez and Felipe Sanchez.

Those who voted in the negative were Honorables Jesus Maria Pacheco, Wm. L. Rynerson, and the President.

Therefore the resolution passed.

The order of the day continued.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

Reports of special committees were announced in order by the President.

None.

Reports of standing committees were announced in order.

None.

A message from his excellency the governor was announced and received.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

The vice president in the chair.

On motion of Hon. Severo Baca the rules were suspended to take action on—

An act for the relief of Jesus Maria Ortiz.

Which was read the second time.

On motion of Candelario Garcia the rules were suspended and the act

Was read the third time.

On motion the act passed.

Hon. Jesus Maria Pacheco introduced—

An act to increase the salary of the territorial librarian.

Was read the first time.

On motion of Hon. Severo Baca the rules were suspended and the act

Was read the second time.

Mr. Severo Baca offered the following amendment:

That no additional sum, over and above the six hundred dollars, shall be paid; provided, that the Auditor of public accounts, shall receive the sum of one thousand dollars annually, instead of five hundred dollars as formerly.

The amendment was adopted.

Hon. Candelario Garcia moved that the House take a recess for 20 minutes.

Agreed to.

The House in recess.

The time having expired the House was called to order by the President.

A message from his Excellency the governor was announced and received.

A communication of his Excellency the governor was read and is as follows:

EXECUTIVE OFFICE,

SANTA FE, N. M., Feb. 3, 1869.

Hon. Severo Baca, President of the Council :

Sir—I have the honor to return to your honorable body, an act originated in your body, for the signature of the chief clerk.

I have the honor to be very respectfully,

Your obedient servant,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion of the Hon. Anastacio Sandoval the communications were received.

The act was examined and it was found to have been sinned by the Chief Clerk since the 30th day of January last, at 10 o'clock a. m.

On motion of Wm. L. Rynerson the committee on Enrolled Bills was instructed to return it to the Governor.

The committee retired to comply with its commission and returned and reported that it had done so.

A message from the House was announced and received.

Hon. Felipe Sandoval made the following report :

Mr. President :—

The standing committee on Enrolled Bills has this day handed the Governor the following :

An act for the relief of Placido Romero sheriff of Valencia county.

An act relative to the grant of Socorro county.

An act relieving John Martin from the payment of certain taxes at the Aleman in the county of Socorro.

An act for precinct number 18 of Alamosa in San Miguel county.

- An act creating and organizing two additional precincts in the county of Socorro.

FELIPE SANDOVAL,
Chairman of the committee.

On motion of Hon. W. L. Rynerson the report was adopted.

Hon. Candelario Garcia offered the following amendment:

That instead of \$600 00 to read \$400 00; and instead of \$1,000 00 to read \$900 00.

The amendment was adopted.

Hon. Celso Baca moved to suspend the rules and read the act the third time.

Agreed to.

The act was read the third time.

Hon. J. M. Pacheco offered the following amendment:

That instead of \$800 it shall read \$900, and in place of \$400 it shall read \$500.

The amendment was not adopted.

On motion of Hon. Sebero Baca the act passed

The Hon. Diego Archuleta appealed from the decision of the Vice President.

The decision of the Vice president was sustained, and therefore the act passed.

On motion of Hon. Jesus Maria Pacheco the Council took a recess until 3. 30 p. m.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Jesus Maria Pacheco of

Taos, Andres Romero of Bernalillo, Candelario Garcia of Socorro, Diego Archuleta of Rio Arriba, Wm. L. Rynerson, of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia, Juan Benito Valdez of Taos, and the Hon. President.

There being a quorum present the Council proceeded to the dispatch of business.

A committee from the House was announced and received and reported that the House had concurred in the passage of—

A joint resolution to adjourn sine die at 1 o'clock p. m. to-morrow.

A communication from the Governor was read and is as follows :

EXECUTIVE OFFICE,

Santa Fe, N. M., February 2, 1869.

Hon. R. M. Stephens Speaker of the House of Representatives.

Sir—I have the honor herewith, to return to the Legislative Assembly,

An act increasing the per diem of the officers of the present legislative assembly, during the present session, without my approval.

For the reasons given in my former message declining to approve of a similar appropriation for the members of the Legislative Assembly.

Very respectfully your obedient servant,

ROBT. B. MITCHELL,

Governor of New Mexico.

¶ On motion of Mr. Anastacio Sandoval the communication was received.

Accordingly the the council proceeded to reconsider the vote on the passage of the act.

The ayes and noes were called for on the passage of the act.

The question was put, the roll called and the result was as follows :

Yeas 12—noes 0.

Those who voted in the affirmative were Honorables Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Wm. L. Rynerson, Anastacio Sandoval, Felipe Sandoval, Juan Salazar y Jimenes, Juan B. Valdez, Diego Archuleta, Felipe Sanchez, and the President.

In the negative none.

Accordingly, the President announced that the act was law notwithstanding the objections of the governor.

On motion of Mr. Celso Baca the rules were suspended to take action upon the business on the President's table.

Business on President's table.

An act relative to territorial and county revenues.

Was read the first time.

A message from his Excellency the governor was announced and received,

A communication from his excellency the governor was read and it is as follows :

EXECUTIVE OFFICE.

SANTA FE, February 3, 1869.

Hon. Severo Baca, President of the Legislative Council of the Territory of New Mexico :

Sir—I have the honor to notify you and through you the Legislative Council that I have this day approved—

An act creating and organizing two additional precincts in the county of Socorro.

An act for the relief of Placido Romero sheriff of Valencia county.

An excepting John Martin from paying certain revenue in the place known as "Aleman" in the county of Socorro.

Your obed't servant,
ROB. B. MITCHELL.
Governor of New Mexico.

On motion of Mr. Romero the communication was received.

Hon. C. Baca moved that the Council take a recess for fifteen minutes.

Agreed to.

The Council in recess.

The time having expired the Council was called to order by the President.

On motion of Hon. W. L. Rynerson the Council adjourned until to-morrow at 10 a. m.

THURSDAY, FEBRUARY 4, 1869.

The Council met pursuant to adjournment.

The roll was called and the following members answered to their names:

Celso Baca of San Miguel, Candelasio Garcia of Socorro, Diego Archuleta of Rio Arriba, Juan Benito

Valdez of Taos, Jesus Maria Pacheco of Taos, Andres Remero of Bernalillo, Wm. L. Rynerson of Doña Ana, Anastacio Sandoval of Santa Fé, Felipe Sandoval of Santa Ana, Felipe Sanchez of Mora, Juan Salazar y Jimenes of Valencia and the President of San Miguel.

A quorum being present the House proceeded to the dispatch of business.

The journal of the previous day was read and approved.

A committee from the House of Representatives was announced and received, and notified the Council that the House had passed—

An act for the relief of Jesus M. Ortiz.

The order of the day was called.

Petitions and memorials were announced in order by the President.

None.

Reports of standing committees were announced in order by the President.

Hon. Felipe Sandoval submitted the following report:

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act entitled an act amending the registration law.

A resolution designating the time of the final adjournment of the Legislative Assembly.

A memorial to the United States Congress relative to the removal of the Hon. Joab Houghton Associate Judge of the Supreme court of this Territory, and Judge of the 3rd judicial District.

Has had the same under consideration and finds it cor-

rectly enrolled, and return the same for the signature of the Speaker.

FELIPE SANDOVAL,
Chairman of the committee.

Mr. Sanchez moved that the report of the committee be adopted.

Agreed to.

Therefore the report was adopted.

The President announced having signed the foregoing.

Hon. Wm. L. Rynerson introduced—

A memorial to the Congress of the United States.

Was read the first time.

On motion of Hon. Diego Archuleta the rules were suspended and the memorial

Was read the second time.

On motion of Hon. Candelario Garcia the rules being suspended the memorial

Was read the third time and passed.

Reports of special committees were announced in order by the President.

None.

Resolutions of this body were announced in order by the President.

None.

Bills and joint resolutions were announced in order by the President.

None.

Bills and joint resolutions in their second reading were announced in order.

None.

Bills in their third reading were announced in order by the President.

None.

A message from the House was announced and received.

Business on the President's table.

A communication from the Governor was read as follows :

EXECUTIVE OFFICE,

SANTA FE N. M. February 4, 1869.

Hon. Severo Baca President of the Council.

Sir—I have the honor to inform you and through you the Council, that I have this day approved a Joint resolution originating in your honorable body, to wit :

A joint resolution fixing the time for the final adjournment of the present Legislative Assembly.

I have the honor to be

Very respectfully your obd't serv't,

ROB. B. MITCHELL,

Governor of New Mexico.

On motion the communication was received.

The rules being suspended

Wm. L. Rynerson introduced the following resolution :

Resolved, That the thanks of this honorable body are due and are hereby tendered to the Hon. Severo Baca, for the dignity, capacity and impartiality with which he has discharged his duties as President of the Council during this session ; and that by his conduct, always gentlemanly and agreeable to the members of this body, as much in his private relations with them, as in the exercise of his difficult official duties, he has gained our highest esteem and consideration, and our lasting friendship and confidence.

Resolved further, That the thanks of this body are hereby tendered to Hon. Rafael Chacon, chief clerk, and the rest of the officers of the Council.

The question was put, the roll was called and the result was as follows :

Yeas 11—nays 0.

Those who voted in the affirmative were Honorables Diego Archuleta, Celso Baca, Candelario Garcia, Jesus Maria Pacheco, Andres Romero, Anastacio Sandoval, Felipe Sandoval, Felipe Sanchez and Juan Benito Valdez, Wm. L. Rynerson and Juan Salazar y Jimenes.

In the negative—none.

The President was excused from voting.

Therefore the resolution passed unanimously.

Mr. Felipe Sandoval made the following report :

Mr. President—

The standing committee on Enrolled Bills to which was referred—

An act amending an act entitled an act providing for the registration of the voters of the Territory of New Mexico, approved January 30, 1868.

A resolution designating the time of the final adjournment of the present session of the Legislative Assembly.

A memorial to the President of the United States of America, asking for the removal of the Hon. Joab Houghton, as Associate Judge of the Supreme court of the Territory of New Mexico.

Has handed the same to the Governor for his signature.

FELIPE SANDOVAL,
Chairman of the committee.

On motion, the report of the committee was adopted.
Hon. Anastacio Sandoval introduced—

A joint resolution.

Was read the first time.

On motion of Mr. Candelario Garcia the rules were suspended and the resolution

Was read the second time.

On motion of Hon. Andres Romero the rules were suspended and the resolution

Was read the third time and passed.

The following message was read.

EXECUTIVE OFFICE,

SANTA FE, February 4, 1869.

Hon. Severo Baca President of the Council.

Sir—I have the honor to inform you and through you the Council that I have this day approved the following bills originating in your body, to wit:

An act amending an act entitled an act providing for the registration of voters of the Territory of New Mexico.

An act for the relief of John and Michael McGee.

I have the honor to be

Very respectfully your obd't serv't,

ROBT. B. MITCHELL,

Governor of New Mexico.

On motion the communication was received.

On motion of Candelario Garcia a committee was appointed to notify the House that the hour of adjournment had arrived.

The committee composed of Hons. Candelario Garcia, Wm. L. Rynerson and Celso Baca retired and shortly after returned and reported that it had complied with duty.

The hour having arrived for the final adjournment the Council adjourned sine die.